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Transcript of Howan Kwok

Date: April 1, 2021

Case: Cheng -v- Guo

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Conducted on April 1, 2021

1 (1 to 4)

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| <p style="text-align: right;">1</p> <p>1 UNITED STATES DISTRICT COURT</p> <p>2 SOUTHERN DISTRICT OF NEW YORK</p> <p>3 -----x</p> <p>4 LOGAN CHENG f/k/a Shuiyan Cheng,</p> <p>5 Plaintiff,</p> <p>6 -v- 1:20-cv-05678-KPF</p> <p>7 WENGUI GUO,</p> <p>8 Defendant.</p> <p>9</p> <p>10 -----x</p> <p>11</p> <p>12 REMOTE DEPOSITION OF HOWAN KWOK</p> <p>13 April 1, 2021</p> <p>14</p> <p>15 Reported by:</p> <p>16 MARY F. BOWMAN, RPR, CRR</p> <p>17 JOB NO. 360803</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | <p style="text-align: right;">3</p> <p>1 APPEARANCES: (BY VIDEOCONFERENCE)</p> <p>2</p> <p>3 RANDAZZA LEGAL GROUP</p> <p>4 Attorneys for Plaintiff</p> <p>5 2764 Lake Sahara Drive, Suite 109</p> <p>6 Las Vegas, NV 89117</p> <p>7 BY: JAY MARSHALL WOLMAN, ESQ.</p> <p>8 MARC RANDAZZA, ESQ.</p> <p>9</p> <p>10</p> <p>11 SCHULMAN BHATTACHARYA, LLC</p> <p>12 Attorneys for Defendant</p> <p>13 7500 Old Georgetown Rd, Suite 901</p> <p>14 Bethesda, Maryland 20814</p> <p>15 BY: JEFFREY GAVENMAN, ESQ.</p> <p>16</p> <p>17</p> <p>18 Also Present:</p> <p>19 Juliet Hooper, Document Technician</p> <p>20 Una Wilkinson, Mandarin Interpreter</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> |
| <p style="text-align: right;">2</p> <p>1</p> <p>2</p> <p>3</p> <p>4 April 1, 2021</p> <p>5 10:00 a.m.</p> <p>6</p> <p>7 Remote deposition of HOWAN KWOK, held</p> <p>8 before Mary F. Bowman, a Registered Professional</p> <p>9 Reporter, Certified Realtime Reporter, and Notary</p> <p>10 Public of the States of New York and New Jersey.</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | <p style="text-align: right;">4</p> <p>1</p> <p>2</p> <p>3 IT IS HEREBY STIPULATED AND</p> <p>4 AGREED, by and between the attorneys for</p> <p>5 the respective parties herein, that</p> <p>6 filing and sealing be and the same are</p> <p>7 hereby waived.</p> <p>8 IT IS FURTHER STIPULATED AND</p> <p>9 AGREED that all objections, except as to</p> <p>10 the form of the question, shall be</p> <p>11 reserved to the time of the trial.</p> <p>12</p> <p>13 IT IS FURTHER STIPULATED AND</p> <p>14 AGREED that the within deposition may be</p> <p>15 sworn to and signed before any officer</p> <p>16 authorized to administer an oath, with</p> <p>17 the same force and effect as if signed</p> <p>18 and sworn to before the Court.</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> |

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2 (5 to 8)

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| <p style="text-align: right;">5</p> <p>1 THE REPORTER: Will counsel 2 please stipulate that in lieu of 3 formally swearing in the interpreter, 4 the reporter will instead ask the 5 interpreter to acknowledge that their 6 interpretation will be true under the 7 penalties of perjury, that counsel will 8 not object to the admissibility of the 9 transcript based on proceeding in this 10 way. 11 MR. GAVENMAN: Yes. 12 MR. WOLMAN: Yes. 13 THE REPORTER: Do you solemnly swear 14 or affirm that the interpretation you will 15 give in this deposition will be from English 16 to Mandarin and from Mandarin to English to 17 the best of your ability? 18 THE INTERPRETER: I do. 19 - - - 20 21 22 23 24 25</p> | <p style="text-align: right;">7</p> <p>1 answer, as a general proposition, you are required 2 to nonetheless answer my questions. And your 3 answers are going to need to be in words, rather 4 than in nods or sounds in order to ensure that we 5 have an accurate transcript of this proceeding. 6 If at any time you need to take a 7 break, please let me know and we will do so. But 8 I would ask that you answer any pending question 9 unless it is to confer with your counsel regarding 10 a claim of privilege. 11 And I would ask that if you don't 12 understand a question, please don't guess. I 13 would be happy to try to rephrase it. 14 Do you understand that? 15 A. Yes, I understand. 16 Q. Have you ever had your deposition 17 taken previously? 18 A. Yes. 19 Q. How many times? 20 A. I can't recall. 21 Q. Is it more than five? 22 A. Possible. 23 Q. Were those in proceedings in the 24 United States? 25 A. Yes.</p> |
| <p style="text-align: right;">6</p> <p>1 HOWAN KWOK, 2 called as a witness by the parties, 3 having been duly sworn, testified as 4 follows: 5 EXAMINATION BY 6 MR. WOLMAN: 7 Q. Good morning, Mr. Kwok. 8 A. Good morning, sir. 9 Q. My name is Jay Wolman and I represent 10 Mr. Logan Cheng who is a plaintiff in a suit 11 against you in the U.S. District Court for the 12 Southern District of New York. 13 We have with us today an 14 interpreter who will be interpreting my questions 15 to you and your answers back to us. And because 16 of the number of people, we can't talk over each 17 other. 18 And even if you understand some 19 English, please make sure that you hear the 20 interpreted question and answer in your native 21 language in order to ensure that we get the most 22 accurate discourse between us. 23 And you have present today your 24 lawyer, Mr. Gavenman, who may make certain 25 objections. But unless he directs you not to</p> | <p style="text-align: right;">8</p> <p>1 Q. Are there any particular cases you can 2 recall in which your deposition was taken? 3 A. Pacific Alliance. And Guo Baosheng 4 defamation case and Ha Yieliang defamation case. 5 Q. Before we proceed, I want to clarify 6 one thing, you said before we proceeded that your 7 name is Howan Kwok. Is that correct? 8 A. Yes. 9 Q. Can I hear you pronounce your last 10 name so I can make sure I address you properly and 11 pronounce it properly. 12 A. K-W-O-K. 13 Q. Can I hear you say your last name? 14 A. K-W-O-K -- O-K, H-O-W-A-N, that is my 15 name. 16 Q. I understand. I'm not asking that 17 question. I want to hear you say your last name. 18 A. Kwok. 19 Q. Kwok. Thank you. 20 Now, this lawsuit has the spelling of 21 your name as W-E-N-G-U-I, G-U-O. Are you familiar 22 with that? 23 MR. GAVENMAN: Objection to form. 24 Can you clarify which lawsuit we are talking 25 about?</p> |

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3 (9 to 12)

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| <p>9</p> <p>1 MR. WOLMAN: I said this lawsuit.</p> <p>2 MR. GAVENMAN: OK.</p> <p>3 A. Yes.</p> <p>4 Q. Is that a name you use?</p> <p>5 A. Yes.</p> <p>6 Q. Why do you use that name?</p> <p>7 A. Now, it is because K-W-O-K and G-U-O,</p> <p>8 they were actually the pronunciation for the same</p> <p>9 character, but one is the pronunciation from</p> <p>10 mainland China and one is the pronunciation in</p> <p>11 Hong Kong.</p> <p>12 Q. What about the given name?</p> <p>13 A. It is because when I went to Hong Kong</p> <p>14 and because the name has been duplicated in some</p> <p>15 way, so I changed the given name.</p> <p>16 Q. What is on -- strike that.</p> <p>17 Do you have a form of identification</p> <p>18 issued by a government, either federally or state</p> <p>19 in the United States?</p> <p>20 A. Yes.</p> <p>21 Q. And what is that identification?</p> <p>22 A. Howan, H-O-W-A-N.</p> <p>23 Q. Let me ask again. What is the form of</p> <p>24 identification?</p> <p>25 A. Social security card.</p> | <p>11</p> <p>1 MR. GAVENMAN: There is no reason to</p> <p>2 talk about the immigration status, right?</p> <p>3 You can ask this question, but if you go any</p> <p>4 further about immigration status --</p> <p>5 (Simultaneous crosstalk)</p> <p>6 Q. I will repeat, what is your</p> <p>7 immigration status, Mr. Kwok?</p> <p>8 A. I am in the application -- in the</p> <p>9 middle of the application of political asylum.</p> <p>10 Q. And what is the spelling of your name</p> <p>11 that you used on your asylum application?</p> <p>12 A. H-O-W-A-N, K-W-O-K.</p> <p>13 Q. Before you mentioned a social security</p> <p>14 card with a different spelling, is that correct?</p> <p>15 A. No, it's still the same name,</p> <p>16 H-O-W-A-N, K-W-O-K.</p> <p>17 Q. I thought I heard you mention a</p> <p>18 spelling H-A-Y-U-N, is that correct?</p> <p>19 A. No, I have been saying all the time</p> <p>20 that it's H-O-W-A-N.</p> <p>21 Q. Have you ever used the spelling</p> <p>22 H-A-O-Y-U-N for your given name?</p> <p>23 A. No.</p> <p>24 Q. Now, you mentioned a social security</p> <p>25 card. Are you employed?</p> |
| <p>10</p> <p>1 Q. Do you have a driver's license issued</p> <p>2 by the State of New York?</p> <p>3 A. No.</p> <p>4 Q. Do you have a form of alien</p> <p>5 identification issued by the United States</p> <p>6 Department of Homeland Security?</p> <p>7 A. No.</p> <p>8 Q. What is your immigration status to the</p> <p>9 United States?</p> <p>10 MR. GAVENMAN: Objection. Jay, why</p> <p>11 is it relevant in any way what his</p> <p>12 immigration status is? Where are you</p> <p>13 going -- I mean, this is really not a</p> <p>14 particularly appropriate line of</p> <p>15 questioning.</p> <p>16 I'm not going to necessarily</p> <p>17 direct him not to answer this, but I</p> <p>18 don't know why we are going down the</p> <p>19 pathway about what his immigration</p> <p>20 status is.</p> <p>21 MR. WOLMAN: To determine whether or</p> <p>22 not he has an identification card.</p> <p>23 MR. GAVENMAN: OK, so we can --</p> <p>24 MR. WOLMAN: And no speaking</p> <p>25 objection, Counsel.</p> | <p>12</p> <p>1 A. I have always been the consultant for</p> <p>2 a lot of companies. And my current employment is</p> <p>3 the -- I am in the broadcasting and to take down</p> <p>4 the Chinese Communist Party. It is a broadcasting</p> <p>5 revolution.</p> <p>6 Q. How much do you get paid for that?</p> <p>7 MR. GAVENMAN: On advice of counsel,</p> <p>8 Mr. Guo declines to respond to the question</p> <p>9 invoking his rights under the Fifth</p> <p>10 Amendment of the U.S. Constitution.</p> <p>11 He can't answer that question.</p> <p>12 Q. Mr. Kwok, are you taking your</p> <p>13 attorney's advice and refusing to answer that</p> <p>14 question?</p> <p>15 A. Yes.</p> <p>16 Q. Are you presently being prosecuted</p> <p>17 for -- under -- for any crime by any United</p> <p>18 States, state or the federal government?</p> <p>19 MR. GAVENMAN: On advice of Mr. Guo's</p> <p>20 counsel, Mr. Guo declines to respond to the</p> <p>21 question invoking his rights under the Fifth</p> <p>22 Amendment of the U.S. Constitution.</p> <p>23 MR. WOLMAN: Jeff, he can't refuse</p> <p>24 whether or not there is a prosecution.</p> <p>25 Either the government is prosecuting or not.</p> |

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4 (13 to 16)

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| <p>1 MR. GAVENMAN: I can and he did. 2 It's -- 3 MR. WOLMAN: I mean, there is no 4 self-incrimination possible to acknowledge 5 that there is a case. 6 MR. GAVENMAN: Well, any 7 understanding of the status is also 8 privileged by Miles -- by Mr. Kwok. So he 9 can decline on attorney/client grounds and 10 Fifth Amendment grounds about what's 11 happening in that particular arena. So he 12 cannot answer that question in either 13 capacity. 14 THE INTERPRETER: Do you need this to 15 be interpreted or is that between the 16 counsel? 17 MR. WOLMAN: That's between the 18 counsel. 19 Q. Mr. Kwok, are you taking your 20 attorney's advice and refusing to answer my 21 question about being prosecuted by any state? 22 A. Yes. 23 Q. Have you been indicted by any state in 24 the United States? 25 A. No.</p> | 13 | <p>1 testimony before court, out of court in any other 2 case? 3 A. I don't recall. 4 Q. I should ask you, do you have any 5 medical conditions that might impair your ability 6 to understand any questions or give truthful and 7 accurate answers today? 8 A. No. 9 Q. Have you ingested any substance 10 including alcohol or prescription narcotics that 11 might impair your ability to answer truthfully or 12 accurately today? 13 A. No. 14 Q. In the last ten years, have you been 15 convicted of any crime involving dishonesty? 16 A. No. 17 Q. In the last five years, have you been 18 arrested or charged with a crime involving 19 dishonesty? 20 A. No. 21 Q. Are you familiar with the plaintiff in 22 this action, Logan Cheng? 23 A. I met him once. 24 Q. Are you aware that you filed a lawsuit 25 against him in the state of Nevada?</p> | 15 |
| <p>1 Q. Have you been indicted by a grand jury 2 of the United States? 3 A. No. 4 Q. Has any search warrant been executed 5 on you in the last year? 6 A. No. 7 Q. Are there any active arrest warrants 8 for you in the United States? 9 A. No. 10 Q. You testified earlier that you gave 11 deposition testimony in at least five cases. Have 12 you ever testified in court in the United States? 13 MR. GAVENMAN: Objection to form. 14 A. Yes. 15 Q. And how many times? 16 A. Around three or four times. 17 Q. In what cases? 18 A. Well, I was the witness in the 19 courtroom for the cases of Guo Baosheng defamation 20 case and Ha Yieliang defamation and also Pacific 21 Alliance. 22 Q. Have you testified in court in any 23 other cases in the United States? 24 A. I don't recall clearly. 25 Q. And have you given deposition</p> | 14 | <p>1 A. Yes. 2 Q. Do you know why that lawsuit was filed 3 with your name as W-E-N-G-U-I, G-U-O rather than 4 H-O-W-A-N, K-W-O-K? 5 MR. GAVENMAN: I'll just caution 6 Mr. Kwok not to reveal any attorney/client 7 communications when answering this question. 8 That is counsel's recommendation. 9 Just to clarify, my 10 recommendation is if you can answer 11 without revealing attorney/client 12 communication, you're free to answer, 13 but if that understanding comes from 14 attorney/client communication, you 15 should not. 16 A. Well, I am answering the question that 17 is why would I use a different name is because it 18 was recommended by a previous lawyer, lawyer in 19 the past. 20 Q. Did you review the complaint in that 21 case before it was filed? 22 MR. GAVENMAN: Just asking for a 23 clarification, are you talking about the 24 case you referred to a previous case and not 25 the Nevada case? Or you are talking about</p> | 16 |

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5 (17 to 20)

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|----|---|----|--|
| 17 | <p>1 the Nevada case?</p> <p>2 MR. WOLMAN: The Nevada case we are</p> <p>3 discussing right now.</p> <p>4 A. They have used translator briefly to</p> <p>5 go through that complaint to me, you know, once.</p> <p>6 I can't read it myself because I don't know how to</p> <p>7 read English.</p> <p>8 Q. Are you familiar with the English</p> <p>9 alphabet?</p> <p>10 A. I know the alphabet.</p> <p>11 Q. And are you able to tell the</p> <p>12 difference between the letters "G-U-O" and</p> <p>13 "K-W-O-K"?</p> <p>14 A. Yes.</p> <p>15 Q. And did you see the English language</p> <p>16 version of the Nevada complaint before it was</p> <p>17 filed?</p> <p>18 THE INTERPRETER: Counsel, you're</p> <p>19 asking before he filed the complaint, did he</p> <p>20 read the complaint?</p> <p>21 MR. WOLMAN: Did he see the English</p> <p>22 language version of the complaint before it</p> <p>23 was filed in Nevada.</p> <p>24 A. Yes.</p> <p>25 Q. Did you notice at any time that it did</p> | 19 | <p>1 screen.</p> <p>2 (Exhibit 1, Amended Notice of</p> <p>3 Deposition marked for identification, as</p> <p>4 of this date.)</p> <p>5 Q. Mr. Kwok, to the best of your</p> <p>6 knowledge and understanding, is your presence here</p> <p>7 today pursuant to the amended notice of deposition</p> <p>8 shown as Exhibit 1?</p> <p>9 A. Yes.</p> <p>10 Q. Thank you. You can close that.</p> <p>11 Mr. Kwok, what did you do to</p> <p>12 prepare for the deposition today? I don't need to</p> <p>13 know what you and your attorney discussed.</p> <p>14 MR. GAVENMAN: I appreciate</p> <p>15 Mr. Wolman's clarification, but please don't</p> <p>16 reveal any attorney/client communications.</p> <p>17 You can just say generally what</p> <p>18 we did.</p> <p>19 MR. WOLMAN: I didn't say -- wait,</p> <p>20 stop. Please don't change my question. I</p> <p>21 did not say "Generally."</p> <p>22 MR. GAVENMAN: OK.</p> <p>23 THE INTERPRETER: I still need to</p> <p>24 interpret what counsel just has said. OK.</p> <p>25 A. Yes. And then my --</p> |
| 18 | <p>1 not contain your name with the spelling K-W-O-K?</p> <p>2 MR. GAVENMAN: Objection to form.</p> <p>3 A. I don't remember.</p> <p>4 Q. Did you observe that it contains the</p> <p>5 name spelled G-U-O throughout the complaint in</p> <p>6 Nevada?</p> <p>7 MR. GAVENMAN: Objection to form.</p> <p>8 A. No.</p> <p>9 Q. What is the name Miles Kwok?</p> <p>10 A. Well, because any Chinese person</p> <p>11 operating or living in the western world, then we</p> <p>12 would have an English name adding the last name,</p> <p>13 and that's Kwok.</p> <p>14 Q. Thank you.</p> <p>15 MR. WOLMAN: Now, Ms. Hooper, I sent</p> <p>16 you a document starting 001.</p> <p>17 TECHNICIAN: Yes, Counsel, would you</p> <p>18 like that on the screen?</p> <p>19 MR. WOLMAN: Yes, please.</p> <p>20 TECHNICIAN: Would you like that</p> <p>21 marked as an exhibit?</p> <p>22 MR. WOLMAN: Let's mark that as</p> <p>23 Exhibit 1.</p> <p>24 TECHNICIAN: One moment please.</p> <p>25 OK, the document is on the</p> | 20 | <p>1 THE INTERPRETER: Sorry, the witness</p> <p>2 just said something and he stopped, so I am</p> <p>3 just clarifying with him what was he saying.</p> <p>4 A. I just say yes.</p> <p>5 Q. That was not a yes-or-no question.</p> <p>6 What did you do to prepare for today?</p> <p>7 MR. GAVENMAN: Again, I'll caution</p> <p>8 you not to reveal any attorney/client</p> <p>9 communications in this answer.</p> <p>10 A. I have done some normal preparation</p> <p>11 before appearing to court, but I can't tell you</p> <p>12 any more because that would reveal what had been</p> <p>13 discussed between my counsel and myself.</p> <p>14 Q. Did you review any documents to</p> <p>15 prepare for today's deposition?</p> <p>16 A. No.</p> <p>17 Q. Did you talk to anybody other than</p> <p>18 your attorney about this deposition?</p> <p>19 A. No.</p> <p>20 Q. Does anybody other than the people on</p> <p>21 this screen know that you are being deposed today?</p> <p>22 A. I don't know.</p> <p>23 Q. Have you told anybody that you are</p> <p>24 being deposed today?</p> <p>25 A. I haven't told anyone specifically,</p> |

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6 (21 to 24)

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| <p>21</p> <p>1 but then the thing is that every day, I will be 2 doing my broadcasting and during which I said that 3 I will be being a witness, but I did not 4 specifically say what case. 5 Q. And in what broadcast did you say you 6 would be a witness? 7 A. So it was at the 9:30 GTV program. 8 Q. This morning? 9 A. Yes. 10 Q. From where did you broadcast that? 11 A. It was not a broadcasting. It was 12 really just like making a video. It's like those 13 one-minute short videos and -- so nine minutes of 14 video. But then after nine minutes, we would just 15 do one-minute uploading. So it was like that kind 16 of a video making. 17 Q. You said "we." Who is we? 18 A. I did not say "we." I said I. 19 Q. Did anybody assist you with that 20 recording and uploading? 21 A. No. 22 Q. From where did you make that recording 23 and uploading? 24 A. It was the same chair and the same 25 desk and same background. It's just right here.</p> | <p>23</p> <p>1 But now that you scroll down, I can see my 2 signature. I don't know whether I have seen this 3 document before or not. 4 Q. Is that your signature? 5 A. Yes. 6 Q. Do you remember -- 7 A. It is my signature, Guo Wengui. 8 Q. Are you familiar with somebody named 9 Daniel Podhaskie? 10 A. Yes. 11 Q. Where were you on December 10, 2020? 12 MR. GAVENMAN: Objection to form. 13 A. I can't remember. 14 Q. Did you meet with Mr. Podhaskie on 15 December 10, 2020? 16 A. I don't recall. 17 Q. How do you recall the name 18 Mr. Podhaskie? 19 A. Daniel Podhaskie, he is working 20 lawyer. He's a lawyer working in the work -- 21 working. 22 Q. Is Mr. Podhaskie your lawyer? 23 MR. GAVENMAN: Objection to form. 24 A. He's working for New York Golden 25 Spring.</p> |
| <p>22</p> <p>1 Q. Where is that? 2 A. It was 1801 Sherry Netherland. 18th 3 floor. 4 Q. Is that your residence? 5 A. I live here. It's not mine, but I 6 live here. 7 MR. WOLMAN: I'm going to show you -- 8 Ms. Hooper, a document that begins with 007. 9 TECHNICIAN: Yes, one moment please. 10 Would you like this marked as 11 Exhibit 2? 12 MR. WOLMAN: Yes, please. The 13 document is on the screen. 14 (Exhibit 2, Defendant Wengui 15 Guo's Verified Statement Pursuant to 16 Local Civil Rule 26.1 marked for 17 identification, as of this date.) 18 Q. Mr. Guo, this says this document is 19 your verified statement pursuant to Local Civil 20 Rule 26.1. 21 Have you seen this document 22 before? 23 MR. WOLMAN: And please scroll down. 24 A. So, you see, I can only recognize 25 Wengui Guo, my name, and some Arabic numerics.</p> | <p>24</p> <p>1 Q. Thank you. 2 Do you have any reason to believe that 3 this is not your signature as executed on 4 December 10, 2020? 5 A. No. 6 Q. Did you understand this document 7 before you signed it? 8 MR. GAVENMAN: Objection to form. 9 A. Yes. 10 Q. How were you able to understand it? 11 A. Because every time he would get a 12 translator translating the documents before I 13 understand it, before I sign it. 14 Q. And what is Golden Spring New York? 15 A. It's a company. 16 Q. And what is your relationship to that 17 company? 18 MR. GAVENMAN: On advice of Mr. Guo's 19 personal counsel, Mr. Guo declines to 20 respond to the question invoking his rights 21 under the Fifth Amendment of the U.S. 22 Constitution. 23 Q. Are you accepting your attorney's 24 advice and refusing to answer the question? 25 A. Yes.</p> |

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7 (25 to 28)

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| <p>25</p> <p>1 Q. On December 10, did you sign this</p> <p>2 document in the presence of Mr. Podhaskie, a</p> <p>3 Golden Spring attorney?</p> <p>4 MR. GAVENMAN: I'm going to caution</p> <p>5 you not to reveal any attorney/client</p> <p>6 communications in this answer.</p> <p>7 Q. Before we proceed, I need to establish</p> <p>8 something.</p> <p>9 You testified that Mr. Podhaskie was</p> <p>10 the lawyer for Golden Spring, New York. Is he</p> <p>11 your lawyer as well?</p> <p>12 MR. GAVENMAN: Objection to form.</p> <p>13 A. Yes.</p> <p>14 Q. Do you have a representation agreement</p> <p>15 with Mr. Podhaskie?</p> <p>16 MR. GAVENMAN: Objection to form.</p> <p>17 A. This is between myself and my counsel,</p> <p>18 so I cannot answer that.</p> <p>19 Q. You can answer whether or not you have</p> <p>20 a representation agreement.</p> <p>21 A. I don't know.</p> <p>22 Q. How do you know Mr. Podhaskie</p> <p>23 represents you personally and not just Golden</p> <p>24 Spring, New York?</p> <p>25 A. Because he's representing me all</p> | <p>27</p> <p>1 how to answer your question. I don't really know</p> <p>2 how to. And I don't really want to answer</p> <p>3 irresponsibly so that to be irrelevant to this</p> <p>4 case.</p> <p>5 Q. Without telling me the content of any</p> <p>6 conversations you had with Mr. Podhaskie, in what</p> <p>7 capacity does he represent you?</p> <p>8 MR. GAVENMAN: Objection to form.</p> <p>9 A. I cannot -- I am -- I am unable to</p> <p>10 answer this question. I cannot answer this</p> <p>11 question.</p> <p>12 Q. Does Mr. Podhaskie represent you in</p> <p>13 any lawsuit?</p> <p>14 MR. GAVENMAN: Objection to form.</p> <p>15 A. I don't recall.</p> <p>16 Q. Does Mr. Podhaskie represent you for</p> <p>17 any matter in which you have claimed the privilege</p> <p>18 under the Fifth Amendment to the U.S.</p> <p>19 Constitution?</p> <p>20 MR. GAVENMAN: Objection to form.</p> <p>21 A. I don't know.</p> <p>22 Q. Does any attorney represent you with</p> <p>23 respect to any matter for which you have claimed</p> <p>24 privilege under the Fifth Amendment to the United</p> <p>25 States Constitution?</p> |
| <p>26</p> <p>1 along.</p> <p>2 Q. When did you first retain</p> <p>3 Mr. Podhaskie?</p> <p>4 A. I don't recall.</p> <p>5 Q. For what purposes does Mr. Podhaskie</p> <p>6 represent you individually?</p> <p>7 MR. GAVENMAN: Because the word</p> <p>8 "purpose" is in there, I have to caution you</p> <p>9 not to reveal any attorney/client</p> <p>10 communications in this answer.</p> <p>11 A. My answer is that he's a lawyer.</p> <p>12 Q. Do you have him on a general retainer</p> <p>13 for any and all purposes?</p> <p>14 A. I don't understand when you say</p> <p>15 general, what does it mean general or not general?</p> <p>16 I don't understand.</p> <p>17 Q. Let me try to clarify.</p> <p>18 Mr. Gavenman represents you as a</p> <p>19 defendant in this case. For what purposes does</p> <p>20 Mr. Podhaskie represent you?</p> <p>21 MR. GAVENMAN: I'm going to object to</p> <p>22 form and I'm going to again caution you not</p> <p>23 to reveal any attorney/client communications</p> <p>24 in this answer.</p> <p>25 A. That's right. That's why I don't know</p> | <p>28</p> <p>1 MR. GAVENMAN: You are including this</p> <p>2 one where it just happened?</p> <p>3 THE INTERPRETER: Counsel, I think</p> <p>4 that was a question for you, right?</p> <p>5 MR. GAVENMAN: This litigation is</p> <p>6 obviously one of them.</p> <p>7 Do you want that to be part of</p> <p>8 the answer or --</p> <p>9 MR. WOLMAN: He can answer it as he</p> <p>10 sees fit.</p> <p>11 A. My lawyer here, my counsel, Jeff.</p> <p>12 Q. Have you claimed the protections of</p> <p>13 the Fifth Amendment to the United States</p> <p>14 Constitution in any other lawsuit?</p> <p>15 MR. GAVENMAN: I'm going to caution</p> <p>16 him again not to reveal any attorney/client</p> <p>17 communications about this. I believe that</p> <p>18 your understanding may come from that. So</p> <p>19 please don't reveal any attorney/client</p> <p>20 communications.</p> <p>21 A. Yes.</p> <p>22 Q. In what other lawsuits have you</p> <p>23 claimed the protections to the Fifth Amendment to</p> <p>24 the United States Constitution?</p> <p>25 A. I don't recall.</p> |

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8 (29 to 32)

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| 29 | <p>1 Q. When was the last time before this</p> <p>2 month you claimed the protection of the Fifth</p> <p>3 Amendment of the United States Constitution?</p> <p>4 And when I say this month, I mean</p> <p>5 the last 30 days.</p> <p>6 MR. GAVENMAN: Objection to form.</p> <p>7 A. I don't recall.</p> <p>8 Q. Was your claim under the Fifth</p> <p>9 Amendment in the last year other than this</p> <p>10 lawsuit?</p> <p>11 A. I don't recall.</p> <p>12 Q. Does Mr. Podhaskie send bills in your</p> <p>13 name?</p> <p>14 MR. GAVENMAN: Objection to form.</p> <p>15 A. I don't understand your question. I</p> <p>16 don't quite understand.</p> <p>17 Q. Do you get bills from Attorney</p> <p>18 Podhaskie for the services he renders to you?</p> <p>19 A. I don't know.</p> <p>20 Q. Do you pay Mr. Podhaskie?</p> <p>21 A. No.</p> <p>22 Q. Who pays Mr. Podhaskie?</p> <p>23 A. Golden Spring.</p> <p>24 Q. Why does Mr. Golden Spring pay</p> <p>25 Mr. Podhaskie for services rendered to you in your</p> | 31 | <p>1 Spring New York?</p> <p>2 MR. GAVENMAN: On advice of Mr. Guo's</p> <p>3 counsel, Mr. Guo declines to answer the</p> <p>4 question invoking his rights under the Fifth</p> <p>5 Amendment of the U.S. Constitution.</p> <p>6 Q. Are you accepting your attorney's</p> <p>7 advice not to answer?</p> <p>8 A. Yes.</p> <p>9 Q. Are you an officer of Golden Spring</p> <p>10 New York limited?</p> <p>11 MR. GAVENMAN: On advice of Mr. Guo's</p> <p>12 counsel, Mr. Guo declines to respond to the</p> <p>13 question invoking his rights under the Fifth</p> <p>14 Amendment of the U.S. Constitution.</p> <p>15 Q. Are you accepting your attorney's</p> <p>16 advice not to answer?</p> <p>17 A. That's correct.</p> <p>18 Q. Did Golden Spring or anyone affiliated</p> <p>19 with it take part in the decision to sue Mr. Cheng</p> <p>20 in Nevada?</p> <p>21 MR. GAVENMAN: To the extent you can</p> <p>22 answer without revealing attorney/client</p> <p>23 communications, you can answer, but I</p> <p>24 caution you not to reveal attorney/client</p> <p>25 communications.</p> |
| 30 | <p>1 individual capacity?</p> <p>2 MR. GAVENMAN: Under the advice of</p> <p>3 Mr. Guo's personal counsel, Mr. Guo declines</p> <p>4 to respond to the question invoking his</p> <p>5 rights under the Fifth Amendment of the U.S.</p> <p>6 Constitution.</p> <p>7 Q. Are you accepting your attorney's</p> <p>8 advice not to answer?</p> <p>9 A. Yes.</p> <p>10 Q. Are you aware that Mr. Cheng had a</p> <p>11 judgment against you in Nevada?</p> <p>12 A. That I know.</p> <p>13 Q. Are you aware that that judgment was</p> <p>14 paid on your behalf by Golden Spring New York?</p> <p>15 A. Yes.</p> <p>16 Q. Why did Golden Spring New York pay</p> <p>17 that judgment on your behalf?</p> <p>18 MR. GAVENMAN: On advice of Mr. Guo's</p> <p>19 counsel, Mr. Guo declines to answer that</p> <p>20 question invoking his rights under the Fifth</p> <p>21 Amendment of the U.S. Constitution.</p> <p>22 Q. Are you accepting your attorney's</p> <p>23 advice?</p> <p>24 A. That's correct.</p> <p>25 Q. Do you own any interest in Golden</p> | 32 | <p>1 A. I did talk to my counsel about this</p> <p>2 matter, so because that would involve the</p> <p>3 privilege between counsel and client, so I cannot</p> <p>4 answer this question.</p> <p>5 Q. Which counsel are you referring to?</p> <p>6 A. Daniel.</p> <p>7 Q. Is Mr. Podhaskie employed by Golden</p> <p>8 Spring New York or is he an independent outside</p> <p>9 vendor?</p> <p>10 A. I don't know.</p> <p>11 Q. Where is the office of Golden Spring</p> <p>12 New York?</p> <p>13 A. 61st Street -- sorry, 64th Street.</p> <p>14 Q. And where is Mr. Podhaskie's office?</p> <p>15 A. I seem to have seen him in the Golden</p> <p>16 Spring office, but I think that he might have</p> <p>17 other offices as well. But I don't know where</p> <p>18 they are.</p> <p>19 Q. On the day you signed the verification</p> <p>20 statement marked as Exhibit 2, why did you sign it</p> <p>21 at Golden Spring?</p> <p>22 MR. GAVENMAN: Objection to form.</p> <p>23 A. I don't remember signing the document</p> <p>24 in Golden Spring. I don't ever state that I have</p> <p>25 signed this document in Golden Spring. I think</p> |

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9 (33 to 36)

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| <p style="text-align: right;">33</p> <p>1 that you probably have mistaken my testimony. I</p> <p>2 have never said that I signed this document in</p> <p>3 Golden Spring.</p> <p>4 Q. Where did you meet with Mr. Podhaskie</p> <p>5 to sign this document?</p> <p>6 A. My answer was that I don't recall.</p> <p>7 And why would you just like talking rubbish and</p> <p>8 telling me that I signed in Golden Spring. I said</p> <p>9 I don't recall.</p> <p>10 Q. Did Mr. Podhaskie print out the</p> <p>11 document for you to sign?</p> <p>12 A. I don't recall.</p> <p>13 Q. Did you print out the document to be</p> <p>14 signed as Exhibit 2?</p> <p>15 A. I don't recall.</p> <p>16 Q. Why did you choose Mr. Podhaskie to</p> <p>17 notarize this document?</p> <p>18 A. Well, according to law, right?</p> <p>19 Q. Why Mr. Podhaskie as opposed to any</p> <p>20 other notary public of the State of New York, is</p> <p>21 my question.</p> <p>22 A. I trust him.</p> <p>23 Q. Do you have any other lawyers beside</p> <p>24 Mr. Podhaskie and Mr. Gavenman?</p> <p>25 MR. GAVENMAN: Objection to form.</p> | <p style="text-align: right;">35</p> <p>1 I don't know.</p> <p>2 Q. Please answer the question as stated</p> <p>3 to the best of your ability.</p> <p>4 A. My answer is no, I can't recall.</p> <p>5 Q. Are you currently represented in any</p> <p>6 matter by an attorney named Aaron Mitchell?</p> <p>7 MR. GAVENMAN: Not just in this</p> <p>8 matter, Jay? You are talking about any</p> <p>9 other matter?</p> <p>10 MR. WOLMAN: Please don't answer the</p> <p>11 question for him. You are now answering a</p> <p>12 question for him.</p> <p>13 MR. GAVENMAN: OK. He is represented</p> <p>14 in this matter --</p> <p>15 MR. WOLMAN: If you have an</p> <p>16 objection, make your objection. Right now</p> <p>17 you are --</p> <p>18 MR. GAVENMAN: Trying to clarify the</p> <p>19 question.</p> <p>20 MR. WOLMAN: You're not the deponent.</p> <p>21 A. Well, at the moment, I know at least</p> <p>22 three counsel's name is Aaron. So I actually</p> <p>23 can't remember Aaron, whatever that you are</p> <p>24 talking about. So that is why I cannot answer</p> <p>25 that. So that is why I said I don't recall.</p> |
| <p style="text-align: right;">34</p> <p>1 A. Yes.</p> <p>2 Q. And who are those other lawyers?</p> <p>3 MR. GAVENMAN: Objection to form.</p> <p>4 A. I don't recall their names because if</p> <p>5 they are in English, I don't usually remember</p> <p>6 them.</p> <p>7 Just like, for example, my</p> <p>8 counsel today, you may have referred the counsel</p> <p>9 with another name, but I actually just know him as</p> <p>10 Jeff. And I just call him Jeff.</p> <p>11 But that is only natural because</p> <p>12 my reading ability of English probably is</p> <p>13 equivalent to any one-year-old child in the United</p> <p>14 States.</p> <p>15 Q. Can you tell me their names as you</p> <p>16 best are able?</p> <p>17 MR. GAVENMAN: Objection to form.</p> <p>18 A. Well, the thing is like I don't really</p> <p>19 want to mistaken -- like, for example, the</p> <p>20 president of the United States, Mr. Biden's name</p> <p>21 as my counsel, as my lawyer.</p> <p>22 I don't really want to make such</p> <p>23 kind of a mistake. It would be rather</p> <p>24 irresponsible for me to mistaking anybody's name,</p> <p>25 and -- as my counsel. And I would rather just say</p> | <p style="text-align: right;">36</p> <p>1 Q. Do you have a representation agreement</p> <p>2 with Aaron Mitchell?</p> <p>3 A. I don't know which counsel you're</p> <p>4 talking about, which lawyer you are talking about.</p> <p>5 I am unable to answer this question.</p> <p>6 Q. Are you aware that an attorney named</p> <p>7 Aaron Mitchell has entered his appearance in this</p> <p>8 case on your behalf?</p> <p>9 A. I know there is a lawyer named Aaron,</p> <p>10 but I don't really know whether there is Aaron</p> <p>11 Mitchell or what. I just don't know.</p> <p>12 Q. Do you have a fee agreement with the</p> <p>13 lawyer named Aaron?</p> <p>14 A. I know that they may have some such</p> <p>15 thing, but I cannot be sure.</p> <p>16 Q. Does an attorney named Aaron send you</p> <p>17 bills for services he renders?</p> <p>18 A. I don't recall. I really don't</p> <p>19 recall.</p> <p>20 Q. Do you pay any bills to the attorney</p> <p>21 whose first name is Aaron?</p> <p>22 A. Let me state that clearly, that you</p> <p>23 see I am unable to answer this question is because</p> <p>24 I don't have a bank account, personal bank</p> <p>25 account. I don't make payments. So any payment</p> |

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10 (37 to 40)

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| 37 | <p>1 involved probably will be paid by Golden Spring on</p> <p>2 my behalf.</p> <p>3 So I really am not able to answer that.</p> <p>4 Q. Why would Golden Spring pay attorney</p> <p>5 Aaron on your behalf?</p> <p>6 MR. GAVENMAN: Under advice of</p> <p>7 Mr. Guo's counsel, Mr. Guo declines to</p> <p>8 respond to the question invoking his rights</p> <p>9 under the Fifth Amendment of the U.S.</p> <p>10 Constitution.</p> <p>11 Q. Are you taking your attorney's advice</p> <p>12 in refusing to answer the question?</p> <p>13 A. Yes.</p> <p>14 Q. Does Mr. Gavenman or his firm send you</p> <p>15 bills?</p> <p>16 A. I really don't know. I don't know. I</p> <p>17 really don't know.</p> <p>18 Q. Do you pay Mr. Gavenman or his firm</p> <p>19 for the services he is rendering in this case?</p> <p>20 A. I believe so, but then it would be</p> <p>21 Golden Spring who is paying to them. So I really</p> <p>22 don't know.</p> <p>23 Q. And why is Golden Spring paying</p> <p>24 Mr. Gavenman and/or his firm?</p> <p>25 MR. GAVENMAN: Under advice of</p> | 39 |
| 38 | <p>1 Golden Spring New York Limited?</p> <p>2 A. I don't know.</p> <p>3 Q. Do you sign tax returns on behalf of</p> <p>4 Golden Spring New York Limited?</p> <p>5 A. I didn't.</p> <p>6 Q. Do you know whether or not Golden</p> <p>7 Spring New York Limited claims payments made on</p> <p>8 your behalf as a tax deduction in its tax filings?</p> <p>9 A. I don't recall.</p> <p>10 Q. Are you able to identify any employee</p> <p>11 of Golden Spring New York Limited?</p> <p>12 A. No.</p> <p>13 Q. Are you able to identify any officer</p> <p>14 or director of Golden Spring New York Limited?</p> <p>15 A. No.</p> <p>16 Q. Hang on one second. My screens are</p> <p>17 acting funny. Sorry about that.</p> <p>18 Does Golden Spring New York Limited</p> <p>19 have any officers or directors?</p> <p>20 A. I don't know.</p> <p>21 Q. Earlier, you invoked the protection of</p> <p>22 the Fifth Amendment to the U.S. Constitution when</p> <p>23 I asked if you were an officer of Golden Spring</p> <p>24 New York Limited. Is that correct?</p> <p>25 A. Yes.</p> | 40 |
| 38 | <p>1 Mr. Guo's counsel, Mr. Guo declines to</p> <p>2 respond to the question invoking his rights</p> <p>3 under the Fifth Amendment of the U.S.</p> <p>4 Constitution.</p> <p>5 Q. Are you refusing to answer the</p> <p>6 question under the advice of your counsel?</p> <p>7 A. Yes.</p> <p>8 Q. Are you aware of any crimes committed</p> <p>9 by Golden Spring New York Limited?</p> <p>10 A. I don't know.</p> <p>11 Q. Do you have any written agreements</p> <p>12 with Golden Spring New York Limited?</p> <p>13 MR. GAVENMAN: Under the advice of</p> <p>14 Mr. Guo's counsel, Mr. Guo declines to</p> <p>15 respond to the question invoking his rights</p> <p>16 under the Fifth Amendment of the U.S.</p> <p>17 Constitution.</p> <p>18 Q. Are you taking your attorney's advice</p> <p>19 and refusing to answer?</p> <p>20 A. Yes.</p> <p>21 Q. Do you know whether or not Golden</p> <p>22 Spring New York files New York State or Federal</p> <p>23 income tax returns?</p> <p>24 A. I don't know.</p> <p>25 Q. Do you know who the accountant is for</p> | <p>1 Q. Why does Golden Spring New York</p> <p>2 Limited pay your bills?</p> <p>3 MR. GAVENMAN: On advice of Mr. Guo's</p> <p>4 counsel, Mr. Guo declines to respond to the</p> <p>5 question invoking his rights under the Fifth</p> <p>6 Amendment of the U.S. Constitution.</p> <p>7 Q. Are you refusing to answer the</p> <p>8 question?</p> <p>9 A. Yes.</p> <p>10 Q. Do you file Federal or State tax</p> <p>11 returns?</p> <p>12 A. Yes.</p> <p>13 Q. Do you report payments made by Golden</p> <p>14 Spring New York Limited as your income when Golden</p> <p>15 Spring --</p> <p>16 (Simultaneous crosstalk)</p> <p>17 MR. GAVENMAN: On advice of counsel,</p> <p>18 Mr. Guo declines to answer the question</p> <p>19 invoking his rights under the Fifth</p> <p>20 Amendment of the U.S. Constitution.</p> <p>21 Q. Are you refusing to answer?</p> <p>22 A. Yes.</p> <p>23 Q. In the last five years, have you been</p> <p>24 subject to an audit by the Internal Revenue</p> <p>25 Service or the New York State taxing authority?</p> |

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11 (41 to 44)

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| 41 | <p>1 A. No.</p> <p>2 Q. Are you presently under investigation,</p> <p>3 to the best of your knowledge, for tax fraud?</p> <p>4 MR. GAVENMAN: On the advice of</p> <p>5 Mr. Guo's counsel, Mr. Guo declines to</p> <p>6 respond to the question invoking his rights</p> <p>7 under the Fifth Amendment of the U.S.</p> <p>8 Constitution, as well as an objection to</p> <p>9 attorney/client privilege. Any</p> <p>10 communications he might, my understanding,</p> <p>11 he might have about this is subject to</p> <p>12 attorney/client privilege.</p> <p>13 MR. WOLMAN: How is acknowledging an</p> <p>14 investigation -- not whether or not he</p> <p>15 committed the crime -- self-incrimination?</p> <p>16 MR. GAVENMAN: He is invoking the</p> <p>17 Fifth Amendment is, as is his right to do</p> <p>18 so.</p> <p>19 You can ask a different question</p> <p>20 if you like.</p> <p>21 Q. Are you refusing to answer?</p> <p>22 A. Yes.</p> <p>23 Q. Have you had any income as that term</p> <p>24 is used in the Internal Revenue Code within the</p> <p>25 last five years?</p> | 43 | <p>1 TECHNICIAN: OK, to the One Direct</p> <p>2 link? Give me one moment. Yes, I see it.</p> <p>3 I am downloading the file now.</p> <p>4 Counsel, it's asking me for a</p> <p>5 password.</p> <p>6 MR. WOLMAN: Shoot, sorry about that.</p> <p>7 Q. All right. Why don't we do this.</p> <p>8 Mr. Kwok, did you review the tax returns that were</p> <p>9 provided by your counsel to me in this case?</p> <p>10 A. Yes.</p> <p>11 Q. Are you aware that it included certain</p> <p>12 tax returns?</p> <p>13 MR. GAVENMAN: Objection to form.</p> <p>14 A. I don't recall.</p> <p>15 Q. Are you familiar with the accounting</p> <p>16 firm named Janover?</p> <p>17 A. I think that perhaps it is like a</p> <p>18 financial or accounting consulting firm, but I</p> <p>19 cannot be sure.</p> <p>20 Q. Do they prepare your New York State</p> <p>21 and Federal income taxes?</p> <p>22 A. Perhaps.</p> <p>23 Q. Have you filed taxes for the year</p> <p>24 2020?</p> <p>25 A. Yes.</p> |
| 42 | <p>1 MR. GAVENMAN: On the advice of</p> <p>2 counsel, Mr. Guo's personal counsel,</p> <p>3 Mr. Grow declines to respond to the question</p> <p>4 invoking his rights under the Fifth</p> <p>5 Amendment of the U.S. Constitution.</p> <p>6 Q. Are you refusing to answer the</p> <p>7 question?</p> <p>8 A. Yes.</p> <p>9 Q. How much income did you report to the</p> <p>10 Internal Revenue Service in your tax return for</p> <p>11 the fiscal year 2019?</p> <p>12 MR. GAVENMAN: On the advice of</p> <p>13 counsel, Mr. Guo declines to respond to the</p> <p>14 question invoking his rights under the Fifth</p> <p>15 Amendment of the U.S. Constitution.</p> <p>16 MR. WOLMAN: Jeff, you provided me</p> <p>17 the tax return.</p> <p>18 MR. GAVENMAN: That was a required</p> <p>19 record exception. That doesn't mean he can</p> <p>20 answer a question about it.</p> <p>21 Q. Are you refusing to answer?</p> <p>22 A. Yes.</p> <p>23 Q. Just one second.</p> <p>24 MR. WOLMAN: OK. Ms. Hooper. I just</p> <p>25 up uploaded some documents in a zip file.</p> | 44 | <p>1 Q. And who was the accountant who</p> <p>2 prepared the tax returns?</p> <p>3 A. I don't recall.</p> <p>4 Q. When did you file these tax returns?</p> <p>5 MR. GAVENMAN: Objection to form.</p> <p>6 A. I don't recall.</p> <p>7 Q. Was it before or after March 25?</p> <p>8 A. I don't recall.</p> <p>9 Q. Did you pay any taxes to New York</p> <p>10 State or the Federal government for the year 2020?</p> <p>11 MR. GAVENMAN: On advice of counsel,</p> <p>12 Mr. Guo declines to respond to the question</p> <p>13 invoking his rights under the Fifth</p> <p>14 Amendment of the U.S. Constitution.</p> <p>15 MR. WOLMAN: Whether or not he paid</p> <p>16 any taxes is already known to a third-party,</p> <p>17 the government.</p> <p>18 MR. GAVENMAN: He is not going to</p> <p>19 provide any testimony about it.</p> <p>20 Q. Mr. Guo, are you refusing to answer?</p> <p>21 A. Yes.</p> <p>22 Q. When your tax returns are prepared, do</p> <p>23 you provide your tax preparer all information</p> <p>24 about your income?</p> <p>25 MR. GAVENMAN: On advice of Mr. Guo's</p> |

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Conducted on April 1, 2021

12 (45 to 48)

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| 45 | <p>1 counsel, Mr. Guo declines to respond to the</p> <p>2 question invoking his rights under the Fifth</p> <p>3 Amendment of the U.S. Constitution.</p> <p>4 Q. Are you refusing to answer the</p> <p>5 question?</p> <p>6 A. Yes.</p> <p>7 Q. Have you received any communications</p> <p>8 from the New York State taxing authority regarding</p> <p>9 potential tax fraud?</p> <p>10 MR. GAVENMAN: On advice of Mr. Guo's</p> <p>11 counsel, Mr. Guo declines to respond to the</p> <p>12 question invoking his rights under the Fifth</p> <p>13 Amendment of the U.S. Constitution, as well</p> <p>14 as attorney/client privilege as a separate</p> <p>15 basis for objection.</p> <p>16 Q. Are you refusing to answer?</p> <p>17 A. Yes.</p> <p>18 Q. Have you received any communications</p> <p>19 from the United States Internal Revenue Service or</p> <p>20 the U.S. Department of Treasury or U.S. Department</p> <p>21 of Justice regarding potential tax fraud?</p> <p>22 MR. GAVENMAN: Once again, on advice</p> <p>23 of Mr. Guo's counsel, Mr. Guo declines to</p> <p>24 respond to the question invoking his rights</p> <p>25 under the Fifth Amendment of the U.S.</p> | 47 | <p>1 information to the United States immigration</p> <p>2 authorities in connection with your application</p> <p>3 for asylum?</p> <p>4 A. No.</p> <p>5 Q. Are you familiar with law firm named</p> <p>6 Baker Hostetler?</p> <p>7 A. I don't recall this name. I am very</p> <p>8 confused with English names.</p> <p>9 Q. Are you aware of a lawsuit -- you</p> <p>10 strike that.</p> <p>11 You mentioned the Pacific Alliance</p> <p>12 lawsuit previously, correct?</p> <p>13 A. Yes.</p> <p>14 Q. Do you know who your attorneys are or</p> <p>15 the law firm is for that case?</p> <p>16 A. I don't recall.</p> <p>17 Q. Did you receive bills for services</p> <p>18 rendered on your behalf in that case?</p> <p>19 A. I don't recall.</p> <p>20 Q. Are bills paid to whoever is</p> <p>21 representing you in that case?</p> <p>22 A. Of course they should be paid.</p> <p>23 Q. Who is paying those bills?</p> <p>24 A. Golden Spring.</p> <p>25 Q. Does Baker & Hostetler or whatever law</p> |
| 46 | <p>1 Constitution, and once again, another</p> <p>2 objection based on attorney/client</p> <p>3 privilege.</p> <p>4 Q. Are you refusing to answer?</p> <p>5 A. Yes.</p> <p>6 Q. In the past seven years have you</p> <p>7 provided false information in a tax return to the</p> <p>8 United States or to the state of New York?</p> <p>9 MR. GAVENMAN: On advice of Mr. Guo's</p> <p>10 counsel, Mr. Guo declines to respond to the</p> <p>11 question invoking his rights under the Fifth</p> <p>12 Amendment of the U.S. Constitution.</p> <p>13 Q. Are you refusing to answer?</p> <p>14 A. Yes.</p> <p>15 Q. In the past seven years, have you</p> <p>16 knowingly provided any false information in a tax</p> <p>17 return to the State of New York or the Internal</p> <p>18 Revenue Service?</p> <p>19 MR. GAVENMAN: On advice of counsel,</p> <p>20 Mr. Guo declines to respond to the question</p> <p>21 invoking his rights under the Fifth</p> <p>22 Amendment of the U.S. Constitution.</p> <p>23 Q. Are you refusing to answer?</p> <p>24 A. Yes.</p> <p>25 Q. Have you provided any false</p> | 48 | <p>1 firm is representing you in that case have a fee</p> <p>2 agreement with Golden Spring?</p> <p>3 A. I don't recall.</p> <p>4 Q. Does any attorney representing you in</p> <p>5 this case have a fee agreement with Golden Spring?</p> <p>6 A. I don't know.</p> <p>7 Q. Why does Golden Spring pay your bills</p> <p>8 for representation in the Pacific Alliance</p> <p>9 lawsuit?</p> <p>10 MR. GAVENMAN: On advice of Mr. Guo's</p> <p>11 counsel, Mr. Guo declines to respond to the</p> <p>12 question invoking his rights under the Fifth</p> <p>13 Amendment of the U.S. Constitution.</p> <p>14 A. Yes.</p> <p>15 Q. Are you refusing to answer?</p> <p>16 A. Yes.</p> <p>17 Q. Are you familiar with attorneys named</p> <p>18 Chris Rose or Silvestri?</p> <p>19 A. I don't recall.</p> <p>20 Q. Do you recall the name of the attorney</p> <p>21 who represented you prior to Mr. Gavenman in</p> <p>22 Nevada?</p> <p>23 MR. GAVENMAN: Objection to form.</p> <p>24 THE INTERPRETER: Counsel, did you</p> <p>25 say something?</p> |

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13 (49 to 52)

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| <p>49</p> <p>1 MR. GAVENMAN: I said objection to</p> <p>2 form.</p> <p>3 A. I don't recall the counsel's name.</p> <p>4 Q. Did you have a fee agreement with the</p> <p>5 law firm that preceded Mr. Gavenman in the Nevada</p> <p>6 litigation?</p> <p>7 A. What name again you said?</p> <p>8 Q. Whichever law firm it was.</p> <p>9 A. I don't recall.</p> <p>10 Q. Who paid the bills of the law firm</p> <p>11 representing you in the Nevada lawsuit against</p> <p>12 Mr. Cheng?</p> <p>13 A. Golden Spring.</p> <p>14 Q. Why did Golden Spring pay those bills?</p> <p>15 MR. GAVENMAN: On advice of Mr. Guo's</p> <p>16 counsel, Mr. Guo declines to respond to the</p> <p>17 question invoking his rights under the Fifth</p> <p>18 Amendment of the U.S. Constitution.</p> <p>19 Q. Are you refusing to answer?</p> <p>20 A. Yes.</p> <p>21 Q. What are the -- what is the income of</p> <p>22 Golden Spring New York Limited?</p> <p>23 A. I don't know.</p> <p>24 Q. How does Golden Spring New York</p> <p>25 Limited generate revenue?</p> | <p>51</p> <p>1 Q. Where is Golden Spring New York</p> <p>2 getting the funds to pay your bills?</p> <p>3 A. I don't know.</p> <p>4 Q. When Golden Spring makes payments on</p> <p>5 your behalf, how do you let Golden Spring know</p> <p>6 that a payment needs to be made?</p> <p>7 A. That is all arranged by Golden Spring.</p> <p>8 Q. By whom at Golden Spring?</p> <p>9 A. Counselors, lawyers.</p> <p>10 Q. Let me try to do it this way. Does</p> <p>11 Mr. Gavenman send you a bill?</p> <p>12 A. I never receive bills that counsel</p> <p>13 sent to me.</p> <p>14 Q. Where does he send the bills?</p> <p>15 A. Send to the lawyer in Golden Spring.</p> <p>16 Q. So Mr. Gavenman's fee agreement--</p> <p>17 strike that.</p> <p>18 So Mr. Gavenman's bills go directly to</p> <p>19 Mr. Podhaskie?</p> <p>20 A. I don't know.</p> <p>21 Q. How do you know Golden Spring is</p> <p>22 paying Mr. Gavenman?</p> <p>23 A. I don't know.</p> <p>24 Q. Did Golden Spring have any role in</p> <p>25 deciding to sue Mr. Cheng?</p> |
| <p>50</p> <p>1 A. I don't know.</p> <p>2 Q. What are the assets of Golden Spring</p> <p>3 New York Limited?</p> <p>4 MR. GAVENMAN: On advice of Mr. Guo's</p> <p>5 counsel, Mr. Guo declines to respond to the</p> <p>6 question invoking his rights under the Fifth</p> <p>7 Amendment of the U.S. Constitution.</p> <p>8 MR. WOLMAN: Jeff -- Jeff, that's a</p> <p>9 question about Golden Spring assets, that is</p> <p>10 not a party and, my understanding, is not</p> <p>11 your client? How is there a Fifth Amendment</p> <p>12 issue here?</p> <p>13 MR. GAVENMAN: There is a Fifth</p> <p>14 Amendment issue so he is declining to</p> <p>15 respond.</p> <p>16 MR. WOLMAN: How?</p> <p>17 MR. GAVENMAN: Jay, I can't answer</p> <p>18 that question for you. That's the answer,</p> <p>19 he is invoking his Fifth Amendment rights.</p> <p>20 He needs to not respond.</p> <p>21 Q. Are you refusing to answer, Mr. Kwok?</p> <p>22 A. Yes.</p> <p>23 Q. Does Golden Spring New York Limited</p> <p>24 have any bank accounts?</p> <p>25 A. I don't know.</p> | <p>52</p> <p>1 MR. GAVENMAN: I caution you not to</p> <p>2 reveal any attorney/client communications in</p> <p>3 this answer.</p> <p>4 You can answer if you can.</p> <p>5 A. I don't know.</p> <p>6 Q. A judgment was issued against you in</p> <p>7 Nevada. How did you receive that judgment?</p> <p>8 A. I did not receive it.</p> <p>9 Q. Have you ever seen a copy of the</p> <p>10 judgment from the Nevada court against you?</p> <p>11 A. No.</p> <p>12 Q. Did you ever receive anything in the</p> <p>13 mail from Randazza Legal Group sent to you at the</p> <p>14 Sherry-Netherland?</p> <p>15 A. No.</p> <p>16 Q. Do you receive mail at the</p> <p>17 Sherry-Netherland?</p> <p>18 A. Yes, we can receive mail -- well, I</p> <p>19 want counsel you understand this. You see mail</p> <p>20 can be received. But the thing is I really cannot</p> <p>21 read English and so I won't read anything in</p> <p>22 English. I was not able to read anything in</p> <p>23 English.</p> <p>24 So that mails could be received, but I</p> <p>25 won't read them. I'm unable to read them, even if</p> |

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14 (53 to 56)

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| <p>53</p> <p>1 you put them in front of me today, I won't be able 2 to read them either. 3 So I am saying that, yes, mails can be 4 received, but I, myself personally won't read them. 5 I myself personally did not receive them. 6 Q. Who did? 7 A. Golden Spring. 8 Q. How does mail get from the 9 Sherry-Netherland Hotel directed to you into the 10 hands of Golden Spring? 11 A. I don't know. 12 Q. Then how do you know Golden Spring is 13 getting your mail? 14 A. It is because after receiving them, 15 the lawyer in Golden Spring, Daniel, would have 16 talked to me and told me they received the 17 whatever. And then they would need to get the 18 translator and translating those letters, so that 19 I would know about those letters. 20 Well, you see it will be -- you know 21 that at the present time, there are 60 some lawsuits 22 going on and they were involved because of the CCP's 23 threat against me, the Chinese Communist Party 24 threat against me, and they have done all these kind 25 of restricted warfare against me, threatening me.</p> | <p>55</p> <p>1 like a representative of Democratic parties and so 2 on and so forth and wanting to come upstairs and 3 presenting sort of threats. 4 So therefore, nowadays in 5 Sherry-Netherland, that they know the security 6 threats that posted, and so therefore, that they 7 were very careful about dealing with all kind of 8 documents and the source of documents and so that 9 would have special arrangement between them and 10 Golden Spring legal team. 11 And so anyway, really, because it 12 is about this -- it's like a warfare nation is 13 targeting me as an individual. 14 Q. So to be clear, before you look at any 15 piece of mail, someone at Golden Spring is reading 16 it first, correct? 17 A. Not necessarily. 18 Q. How is it then determined that you 19 need to have it, a piece of mail, translated for 20 you? 21 A. I don't know. 22 Q. Is everybody affiliated -- strike 23 that. 24 Is everybody employed by Golden Spring 25 New York a lawyer?</p> |
| <p>54</p> <p>1 And so, you see, they sometimes 2 would send me things or letters probably with 3 toxins inside, threatening letters about my death 4 and about my -- anything that is threatening to my 5 person. 6 So that is why the things received would 7 have to go through some security teams and security 8 people to make sure that whether it has contained 9 any toxicity, whether it is any threatening letters, 10 whether it should be reported to the police or 11 whether it should be dealt with by the legal people. 12 And then this if some needed for me to know, then 13 they have to go through the translations and all 14 kind of protocols. So it is rather complicated. 15 So because also, you see there 16 are times that there are documents of thousands of 17 pages, documents sent to me from unknown part of 18 the world from I don't even know where, and those 19 documents would have a lot of like threatening 20 language, sometimes contain perhaps innuendoes and 21 implications and so on and so forth. 22 And sometimes they would have 23 pretty girls downstairs at the lobby and claiming 24 that they have documents for me and sometimes 25 people claiming -- pretending to be old friends or</p> | <p>56</p> <p>1 A. No. 2 Q. Is Golden Spring New York a law firm? 3 A. No. 4 Q. So any time, for example, Mr. Gavenman 5 sends you a letter or a bill, Golden Spring gets 6 it before you do? 7 A. I cannot be sure. 8 Q. How would you find out? 9 MR. GAVENMAN: Objection to form. 10 THE INTERPRETER: Counsel, were you 11 saying something? 12 MR. GAVENMAN: I just said objection 13 to form. 14 But he can answer. 15 A. Because sometimes the people from 16 Golden Spring would contact me or sometimes the 17 lawyer would contact me. 18 Q. Who are the nonlawyers at Golden 19 Spring who would contact you? 20 MR. GAVENMAN: Objection to form. 21 A. I cannot recall. 22 Q. Is Golden Spring New York at all 23 funded by the Chinese Communist Party? 24 A. Of course not. 25 Q. Is Golden Spring New York funded by</p> |

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15 (57 to 60)

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| <p>57</p> <p>1 anyone in the People's Republic of China?</p> <p>2 A. I don't know.</p> <p>3 Q. How were you able to answer with</p> <p>4 certainty that the Chinese Communist Party does</p> <p>5 not fund it when you previously testified that you</p> <p>6 do not know its income sources?</p> <p>7 A. Well, you see that based on what I</p> <p>8 know is that Golden Spring had been on the list of</p> <p>9 the at risk entity made by the Communist Party and</p> <p>10 also as I know that Golden Spring sometimes will</p> <p>11 be rejected by bank for having a bank account with</p> <p>12 the bank.</p> <p>13 And as far as I know, that I,</p> <p>14 myself and Golden Spring was also being listed by</p> <p>15 the Chinese Communist Party as a number 1 national</p> <p>16 enemy. And there are lots of employees in the</p> <p>17 Golden Spring disappeared and arrested in China, a</p> <p>18 lot of videos of such have been circulated online</p> <p>19 and that is really a very basic knowledge to</p> <p>20 everyone.</p> <p>21 Q. Can you please name the employees of</p> <p>22 Golden Spring that you state were arrested or</p> <p>23 disappeared?</p> <p>24 MR. GAVENMAN: Objection to form.</p> <p>25 A. At this point, I actually don't recall</p> | <p>59</p> <p>1 wanted to take a quick break, but I just have a</p> <p>2 couple of questions before we do that.</p> <p>3 A. G-E-T -- T-E-E-R, yes.</p> <p>4 Q. What is that device you were holding</p> <p>5 in your hand just a moment ago?</p> <p>6 A. My cell phone.</p> <p>7 Q. And what kind of cell phone is it?</p> <p>8 A. Apple.</p> <p>9 Q. And when did you -- when was it</p> <p>10 purchased?</p> <p>11 A. One week ago.</p> <p>12 Q. And who purchased it?</p> <p>13 A. I don't know.</p> <p>14 Q. How did it get in your hands?</p> <p>15 A. It's in the office.</p> <p>16 Q. Some unknown person left it for you in</p> <p>17 an office, is that what you are saying?</p> <p>18 A. Well, I don't know who actually got</p> <p>19 it.</p> <p>20 What happened was I told the</p> <p>21 lawyer, I said my phone was hacked again because</p> <p>22 you see my phone always gets hacked, nearly every</p> <p>23 week was hacked.</p> <p>24 So I said my phone was hacked and</p> <p>25 so I need to have a new phone.</p> |
| <p>58</p> <p>1 their names, but then there are lots of such</p> <p>2 videos and information circulated online. You can</p> <p>3 just have a search for it.</p> <p>4 Q. You previously testified that you made</p> <p>5 a video this morning and uploaded it. On what</p> <p>6 system did you upload it?</p> <p>7 A. GTV Geteer.</p> <p>8 THE REPORTER: Can you spell that?</p> <p>9 THE WITNESS: I don't know how to</p> <p>10 spell that. I can only tell you the Chinese</p> <p>11 name is GTV Geteer.</p> <p>12 THE REPORTER: Geteer, just</p> <p>13 confirming.</p> <p>14 THE INTERPRETER: I don't know. I am</p> <p>15 actually --</p> <p>16 A. Hold own. Let me check, do you want</p> <p>17 me to find out the name?</p> <p>18 Q. Sure.</p> <p>19 A. Because I don't have anything in here,</p> <p>20 so I just really need to -- note paper, nothing,</p> <p>21 so I just need to go and check. G-E-T-E-E-R.</p> <p>22 Q. So that's the name, GTV Geteer,</p> <p>23 G-E-T-E-E-R?</p> <p>24 A. OK.</p> <p>25 Q. Sorry, I know the court reporter</p> | <p>60</p> <p>1 Q. Who paid for the phone?</p> <p>2 A. I don't know.</p> <p>3 Q. Does it have a cellular data plan?</p> <p>4 A. I don't know.</p> <p>5 Q. In whose name does the cellular data</p> <p>6 plan exist?</p> <p>7 A. I don't know.</p> <p>8 Q. Can you show the home screen right</p> <p>9 now? On camera?</p> <p>10 A. (Witness complies)</p> <p>11 Q. Turn it around.</p> <p>12 And can you unlock it so we can</p> <p>13 see the data carrier? Can you hold that up to the</p> <p>14 camera? Closer. Can you get within inches of it,</p> <p>15 please?</p> <p>16 MR. GAVENMAN: What is the possible</p> <p>17 relevance of what's on his home screen? I</p> <p>18 actually really object to this. What are we</p> <p>19 doing with his personal home screen and his</p> <p>20 phone? There is no reason he has to be</p> <p>21 showing his personal home screen on his</p> <p>22 telephone.</p> <p>23 MR. WOLMAN: I'm looking to see who</p> <p>24 the carrier is.</p> <p>25 Q. Can you step back about 8 centimeters.</p> |

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16 (61 to 64)

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| <p>61</p> <p>1 OK, I can't read it. In the</p> <p>2 upper left corner, what are the letters?</p> <p>3 A. No letters.</p> <p>4 Q. Does it say "AT&T" or "Verizon" or --</p> <p>5 A. No.</p> <p>6 Q. -- T-Mobile?</p> <p>7 A. No.</p> <p>8 Q. I'm going to ask that you do a screen</p> <p>9 capture of the home screen.</p> <p>10 MR. GAVENMAN: No, no, we are not</p> <p>11 doing that. We are not doing that. Come</p> <p>12 on.</p> <p>13 This is ridiculous. He doesn't need</p> <p>14 to do a screen capture of his personal cell</p> <p>15 phone screen. That's just -- we are not</p> <p>16 doing that.</p> <p>17 MR. WOLMAN: Jeff, he brought it to a</p> <p>18 deposition.</p> <p>19 MR. GAVENMAN: You had him get it for</p> <p>20 his deposition. He is not looking at it</p> <p>21 other than to tell you one name of an app or</p> <p>22 whatever that was.</p> <p>23 He is not doing a screen capture</p> <p>24 and sending it to you. It's not</p> <p>25 happening.</p> | <p>63</p> <p>1 phone?</p> <p>2 A. I don't know.</p> <p>3 Q. Do you text anyone from that phone?</p> <p>4 A. No, I don't know.</p> <p>5 Q. Do you call anyone from that phone?</p> <p>6 A. I don't know.</p> <p>7 Q. Does anybody call you on that phone?</p> <p>8 A. I don't know.</p> <p>9 Q. Without revealing the contents of any</p> <p>10 conversation, have you spoken to Mr. Gavenman on</p> <p>11 the phone?</p> <p>12 A. No.</p> <p>13 Q. Prior to today, have you ever spoken</p> <p>14 with Mr. Gavenman?</p> <p>15 A. I don't recall.</p> <p>16 Q. Did you go down to Baltimore to meet</p> <p>17 with Mr. Gavenman?</p> <p>18 A. No.</p> <p>19 Q. Did Mr. Gavenman come up to New York</p> <p>20 to meet with you?</p> <p>21 A. No.</p> <p>22 Q. How do you communicate with</p> <p>23 Mr. Gavenman?</p> <p>24 A. I don't recall.</p> <p>25 Q. Did you prepare for this deposition --</p> |
| <p>62</p> <p>1 Q. What is the phone number that someone</p> <p>2 could use to call you on that phone?</p> <p>3 MR. GAVENMAN: That's another thing</p> <p>4 I'm going to object to. He doesn't have to</p> <p>5 answer that.</p> <p>6 There is no reason he has to give</p> <p>7 his personal cell phone number on this</p> <p>8 transcript. There is no possible</p> <p>9 reason. It is harassing. There is no</p> <p>10 reason for this. Let's move on to</p> <p>11 relevant questions.</p> <p>12 It has been two hours and 15</p> <p>13 minutes of a marathon session and you</p> <p>14 haven't gotten to relevant questions</p> <p>15 yet.</p> <p>16 Q. Please answer the question.</p> <p>17 MR. GAVENMAN: You don't have to</p> <p>18 answer what your current personal cell phone</p> <p>19 is.</p> <p>20 MR. WOLMAN: I'm allowed to find out</p> <p>21 who is paying the bill for his personal cell</p> <p>22 phone as you represented.</p> <p>23 THE INTERPRETER: Counsel, what</p> <p>24 question should I be interpreting?</p> <p>25 Q. What is the phone number for that</p> | <p>64</p> <p>1 strike that.</p> <p>2 Did Mr. Gavenman assist you in</p> <p>3 preparing for this deposition?</p> <p>4 A. Yes.</p> <p>5 Q. Without revealing the contents of any</p> <p>6 of that preparation, did you meet in person?</p> <p>7 A. No.</p> <p>8 Q. Through what means did you communicate</p> <p>9 with Mr. Gavenman?</p> <p>10 A. I don't know what kind of a form that</p> <p>11 was.</p> <p>12 Q. Did you have a phone call with him?</p> <p>13 A. No.</p> <p>14 Q. Did you have a video meeting like this</p> <p>15 with them?</p> <p>16 A. Yes.</p> <p>17 Q. And how did you get the link?</p> <p>18 A. Arranged by the lawyer.</p> <p>19 Q. How was it transmitted to you?</p> <p>20 A. I went into the room and the</p> <p>21 connection was made.</p> <p>22 Q. How did you know the URL to connect?</p> <p>23 A. I don't know about the URL. It was</p> <p>24 all connected by the lawyers and the Golden</p> <p>25 Spring.</p> |

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Conducted on April 1, 2021

17 (65 to 68)

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| 65 | <p>1 Q. For today's deposition, how did you</p> <p>2 obtain the URL on the device you were using to</p> <p>3 broadcast today?</p> <p>4 A. It was arranged by the lawyer in</p> <p>5 Golden Spring.</p> <p>6 Q. Was the lawyer at Golden Spring</p> <p>7 literally in that room this morning at</p> <p>8 approximately 10 a.m.?</p> <p>9 A. Well, when I stepped into the room,</p> <p>10 the room was already empty and everything is</p> <p>11 already connected. It's ready. I don't -- I did</p> <p>12 not see anyone.</p> <p>13 Q. Who literally pressed on the link to</p> <p>14 connect?</p> <p>15 A. So I pressed the link and then I went</p> <p>16 in.</p> <p>17 Q. And how did the link get on to the</p> <p>18 device that you pressed?</p> <p>19 A. I don't know.</p> <p>20 Q. Does your phone have an e-mail account</p> <p>21 associated with it?</p> <p>22 A. I don't have e-mail.</p> <p>23 Q. Have you ever had an e-mail account?</p> <p>24 A. I have never used e-mail ever since at</p> <p>25 school. Even though the Chinese Communist Party</p> | 67 | <p>1 In connection with your</p> <p>2 application for asylum, did you state that you or</p> <p>3 any member of your family committed any crime in</p> <p>4 the United States?</p> <p>5 A. No.</p> <p>6 Q. When did you apply for asylum?</p> <p>7 A. September 2017.</p> <p>8 Q. Prior to September 2017, did you</p> <p>9 submit any false information knowingly in</p> <p>10 connection with a tax return to the Federal</p> <p>11 government or New York State?</p> <p>12 MR. GAVENMAN: On the advice of</p> <p>13 Mr. Guo's counsel, Mr. Guo declines to</p> <p>14 respond to the question invoking his Fifth</p> <p>15 Amendment rights under the U.S.</p> <p>16 Constitution.</p> <p>17 Q. Are you refusing to answer?</p> <p>18 A. Yes.</p> <p>19 Q. In connection with your application</p> <p>20 for asylum, did you invoke your rights under the</p> <p>21 Fifth Amendment to the U.S. Constitution?</p> <p>22 A. I don't understand your question.</p> <p>23 Q. With respect to your application for</p> <p>24 asylum, did you claim the protection of the Fifth</p> <p>25 Amendment as you are doing now?</p> |
| 66 | <p>1 fabricated the information that I have lots of</p> <p>2 e-mail addresses, I actually have not one. I have</p> <p>3 never used e-mail ever.</p> <p>4 Q. So are you saying that there is no</p> <p>5 e-mail account associated with the video upload</p> <p>6 service you used this morning?</p> <p>7 A. That's correct.</p> <p>8 Q. Why don't we take a break.</p> <p>9 (Recess; 12:22 p.m. to 12:45 p.m.)</p> <p>10 Q. Mr. Kwok, previously you testified</p> <p>11 that everything that -- your application for</p> <p>12 asylum I guess was accurate, correct?</p> <p>13 A. Yes.</p> <p>14 Q. Do you recall filling out a form I589?</p> <p>15 A. No, I don't recall.</p> <p>16 Q. Do you recall a question on an</p> <p>17 application for an asylum that states, "Have you</p> <p>18 or any member of your family included in the</p> <p>19 application ever committed any crime and/or been</p> <p>20 arrested, charged, convicted or sentenced for any</p> <p>21 crimes in the United States, including for an</p> <p>22 immigration law violation?"</p> <p>23 A. I don't recall.</p> <p>24 Q. Then let me ask you, have you or --</p> <p>25 strike that.</p> | 68 | <p>1 A. I still don't understand that</p> <p>2 question.</p> <p>3 Q. Did you refuse to answer any questions</p> <p>4 on your application for asylum on the grounds that</p> <p>5 it would incriminate you in a crime?</p> <p>6 A. I still don't understand the question.</p> <p>7 Q. Did you refuse to answer any questions</p> <p>8 on your asylum application?</p> <p>9 A. I still don't understand that</p> <p>10 question.</p> <p>11 Q. Did you apply for asylum?</p> <p>12 A. Yes.</p> <p>13 Q. Were there questions?</p> <p>14 A. Yes.</p> <p>15 Q. Did you answer all those questions?</p> <p>16 A. Yes.</p> <p>17 Q. Did you refuse to provide any</p> <p>18 information in answering those questions?</p> <p>19 A. I don't understand.</p> <p>20 Q. Did you give all of the information</p> <p>21 that was requested on your application for asylum?</p> <p>22 MR. GAVENMAN: I'm going to caution</p> <p>23 you not to reveal any attorney/client</p> <p>24 communications that may have informed your</p> <p>25 understanding of what the application</p> |

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Conducted on April 1, 2021

18 (69 to 72)

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| 69 | <p>1 required or what you provided.</p> <p>2 A. Yes. Yes, I answered yes.</p> <p>3 Q. Do you know if you have a particular</p> <p>4 obligation to update the information provided in</p> <p>5 connection with your asylum application?</p> <p>6 MR. GAVENMAN: Objection, objection.</p> <p>7 The only way he would have any understanding</p> <p>8 of that is through attorney/client</p> <p>9 communications. He can't answer that</p> <p>10 without attorney/client communications.</p> <p>11 MR. WOLMAN: I entirely disagree with</p> <p>12 that assessment.</p> <p>13 Q. Are you refusing to answer that</p> <p>14 question on the advice of counsel?</p> <p>15 A. Yes.</p> <p>16 Q. Have you ever provided updated</p> <p>17 information to the U.S. Government in connection</p> <p>18 with your application for asylum?</p> <p>19 MR. GAVENMAN: And this -- I'm going</p> <p>20 to caution you not to reveal any</p> <p>21 attorney/client communications.</p> <p>22 To the extent you can answer, you</p> <p>23 can, but please don't reveal</p> <p>24 attorney/client communications.</p> <p>25 MR. WOLMAN: Jeff, I'm asking what he</p> | 71 | <p>1 objection. That didn't fix the issue at</p> <p>2 all. The only way to have any knowledge or</p> <p>3 understanding about what he is required to</p> <p>4 provide --</p> <p>5 MR. WOLMAN: That is false, that is</p> <p>6 false. What he knows is what he knows.</p> <p>7 MR. GAVENMAN: How would he know it,</p> <p>8 Jay? How would he understand what the U.S.</p> <p>9 law requires? Come on.</p> <p>10 MR. WOLMAN: How would he know. So</p> <p>11 you are saying immigrants have no obligation</p> <p>12 to know the law?</p> <p>13 MR. GAVENMAN: He would have an</p> <p>14 understanding from counsel about what the</p> <p>15 law requires.</p> <p>16 MR. WOLMAN: We haven't even</p> <p>17 established that he used an attorney.</p> <p>18 MR. GAVENMAN: You know he was</p> <p>19 represented by an attorney.</p> <p>20 Counsel, let's ask a more</p> <p>21 fundamental question, what in the world</p> <p>22 are you talking about his immigration</p> <p>23 application, his asylum application?</p> <p>24 MR. WOLMAN: Mark, quiet.</p> <p>25 MR. GAVENMAN: Mark, do you want to</p> |
| 70 | <p>1 gave. Don't coach your witness.</p> <p>2 MR. GAVENMAN: That's not coaching my</p> <p>3 witness. You asked if there was ever a</p> <p>4 supplement. You don't know if it is on his</p> <p>5 behalf, what he did.</p> <p>6 I said don't reveal any</p> <p>7 attorney/client communications and</p> <p>8 that's it. That's the instruction.</p> <p>9 It's not anything obstructive. it's</p> <p>10 just informing the witness not to reveal</p> <p>11 anything attorney/client --</p> <p>12 Q. Just answer the question.</p> <p>13 A. I don't recall.</p> <p>14 Q. Have you withheld any information from</p> <p>15 U.S. immigration authorities that you were</p> <p>16 required to provide?</p> <p>17 MR. GAVENMAN: Objection. The only</p> <p>18 way he would have any understanding of what</p> <p>19 he was required to provide is through</p> <p>20 counsel.</p> <p>21 MR. WOLMAN: I will rephrase.</p> <p>22 Q. Mr. Guo, have you knowingly withheld</p> <p>23 any information you are required to provide with</p> <p>24 the immigration --</p> <p>25 MR. GAVENMAN: I make the exact same</p> | 72 | <p>1 appear in New York --</p> <p>2 MR. RANDAZZA: No.</p> <p>3 MR. GAVENMAN: And get some</p> <p>4 out-of-your-jurisdiction practice, go ahead.</p> <p>5 This asylum application has no</p> <p>6 relevance to this proceeding whatsoever. I</p> <p>7 don't know why you're asking about it and</p> <p>8 I'm getting close to instructing the witness</p> <p>9 not to answer any more questions about it.</p> <p>10 This is completely outside of the</p> <p>11 scope of these deposition, you have</p> <p>12 asked questions about it for several</p> <p>13 minutes now. You know --</p> <p>14 (Simultaneous crosstalk)</p> <p>15 MR. WOLMAN: Stop coaching.</p> <p>16 MR. GAVENMAN: It's not coaching,</p> <p>17 that's an objection based on privilege.</p> <p>18 That's not coaching.</p> <p>19 BY MR. WOLMAN:</p> <p>20 Q. Mr. Guo, answer the question.</p> <p>21 MR. GAVENMAN: You know he was</p> <p>22 represented by counsel in that proceeding.</p> <p>23 You know he is getting advice from counsel</p> <p>24 what the requirements are. You are starting</p> <p>25 to border on trying to elicit</p> |

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19 (73 to 76)

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| 73 | <p>1 attorney/client communications like you're</p> <p>2 not supposed to.</p> <p>3 BY MR. WOLMAN:</p> <p>4 Q. Mr. Guo, answer the question.</p> <p>5 MR. GAVENMAN: Don't answer the</p> <p>6 question. There is an attorney/client</p> <p>7 objection. He can't answer the question</p> <p>8 without attorney/client communications.</p> <p>9 MR. WOLMAN: That is false.</p> <p>10 BY MR. WOLMAN:</p> <p>11 Q. Answer the question?</p> <p>12 THE INTERPRETER: Counsel, I don't</p> <p>13 know if I interpreted that question or not.</p> <p>14 Do you mind to repeat that</p> <p>15 question?</p> <p>16 Q. Have you knowingly withheld any</p> <p>17 information that you were required to provide U.S.</p> <p>18 immigration authorities?</p> <p>19 MR. GAVENMAN: Same objection.</p> <p>20 A. I don't understand this question</p> <p>21 actually.</p> <p>22 Q. Have you told U.S. immigration</p> <p>23 authorities whether or not you have committed tax</p> <p>24 fraud?</p> <p>25 A. No. But I have never committed any</p> | 75 | <p>1 willy-nilly basis when sometimes you are</p> <p>2 going to testify about the crimes you did or</p> <p>3 did not commit and then say no, Fifth</p> <p>4 Amendment?</p> <p>5 MR. GAVENMAN: Strike the answer, he</p> <p>6 is invoking the Fifth Amendment. We are not</p> <p>7 addressing any bit of his income or taxes or</p> <p>8 anything like that.</p> <p>9 MR. WOLMAN: I'm not agreeing to</p> <p>10 strike anything. Thank you.</p> <p>11 Q. Mr. Kwok, are you refusing to answer</p> <p>12 the question?</p> <p>13 A. I don't. I don't have. Very simple</p> <p>14 answer. I don't.</p> <p>15 Q. Do you have any assets?</p> <p>16 MR. GAVENMAN: On the advice of</p> <p>17 counsel, Mr. Guo declines to respond to the</p> <p>18 question invoking his rights under the Fifth</p> <p>19 Amendment of the U.S. Constitution.</p> <p>20 Q. Are you refusing to answer?</p> <p>21 A. Yes.</p> <p>22 Q. Do you own the clothes you are</p> <p>23 wearing?</p> <p>24 MR. GAVENMAN: On advice of his</p> <p>25 counsel, Mr. Guo declines to respond to the</p> |
| 74 | <p>1 tax fraud. So why would he I need to tell them</p> <p>2 that.</p> <p>3 Q. If you have not committed tax fraud,</p> <p>4 are all of your income tax returns that you've</p> <p>5 submitted to the U.S. Government in the State of</p> <p>6 New York accurate?</p> <p>7 MR. GAVENMAN: On the advice of</p> <p>8 counsel, Mr. Guo declines to respond to the</p> <p>9 question invoking his rights under the Fifth</p> <p>10 Amendment of the U.S. Constitution.</p> <p>11 MR. WOLMAN: Mr. Guo just told us</p> <p>12 that he never committed tax fraud.</p> <p>13 MR. GAVENMAN: Understood. He is not</p> <p>14 going to testify about it.</p> <p>15 MR. WOLMAN: He just did.</p> <p>16 MR. GAVENMAN: He is not going to</p> <p>17 testify anymore about it.</p> <p>18 MR. WOLMAN: This is not a piecemeal</p> <p>19 thing. You are either accepting the</p> <p>20 protections of the Fifth Amendment or you</p> <p>21 are not.</p> <p>22 MR. GAVENMAN: We are certainly</p> <p>23 invoking the protections of the Fifth</p> <p>24 Amendment.</p> <p>25 MR. WOLMAN: You can't do it on a</p> | 76 | <p>1 question invoking his rights under the Fifth</p> <p>2 Amendment of the U.S. Constitution.</p> <p>3 Q. Are you refusing to answer?</p> <p>4 A. Yes.</p> <p>5 Q. I see that you're drinking something</p> <p>6 in a tea glass. Who paid for the contents?</p> <p>7 A. Golden Spring.</p> <p>8 Q. Does Golden Spring buy your groceries?</p> <p>9 A. Sometimes, yes.</p> <p>10 Q. Why does Golden Spring pay for your</p> <p>11 groceries?</p> <p>12 MR. GAVENMAN: On advice of Mr. Guo's</p> <p>13 counsel, Mr. Guo declines to respond to the</p> <p>14 question invoking his rights under the Fifth</p> <p>15 Amendment of the U.S. Constitution.</p> <p>16 Q. Are you refusing to answer?</p> <p>17 A. Yes.</p> <p>18 Q. Who pays for your clothes?</p> <p>19 A. Golden Spring.</p> <p>20 Q. Why does Golden Spring pay for your</p> <p>21 clothes?</p> <p>22 MR. GAVENMAN: On advice of counsel,</p> <p>23 Mr. Guo declines to respond to the question</p> <p>24 invoking his rights under the Fifth</p> <p>25 Amendment of the U.S. Constitution.</p> |

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20 (77 to 80)

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| <p>77</p> <p>1 Q. Are you refusing to answer?</p> <p>2 A. Yes.</p> <p>3 Q. Are you, remind me, at the</p> <p>4 Sherry-Netherland residence right now?</p> <p>5 A. Yes.</p> <p>6 Q. Does anybody live with you?</p> <p>7 A. Sometimes my family will be here.</p> <p>8 Q. Are you married?</p> <p>9 A. Yes.</p> <p>10 Q. Where does your wife live?</p> <p>11 A. She lives in her place.</p> <p>12 Q. Where is that?</p> <p>13 A. I can't tell you her information.</p> <p>14 That is about her.</p> <p>15 Q. Why not?</p> <p>16 A. Well, it is because the question that</p> <p>17 you are asking exactly what the CCP wanted to ask</p> <p>18 and you representing Cheng Shuiyan's case and that</p> <p>19 is because you are a hooligan counsel representing</p> <p>20 the CCP and all the questions you are asking were</p> <p>21 irrelevant to the case, but threatening to the</p> <p>22 life -- the safety of my wife and that is exactly</p> <p>23 what the information that -- what the CCP wanted</p> <p>24 to know. So I can't tell you that.</p> <p>25 Well, it is because you see also in the</p> | <p>79</p> <p>1 Q. Please, please.</p> <p>2 A. (In English) I no stop, that is my</p> <p>3 power.</p> <p>4 MR. WOLMAN: We are calling the court</p> <p>5 right now.</p> <p>6 The contact information is --</p> <p>7 this deposition is paused for right now.</p> <p>8 MR. GAVENMAN: Miles, you can go off</p> <p>9 mute, go off camera. I will be joining the</p> <p>10 court line momentarily.</p> <p>11 (Counsel agree to go off the</p> <p>12 record.)</p> <p>13 (Recess; 1:09 p.m. to 1:39 p.m.)</p> <p>14 MR. WOLMAN: We just had a conference</p> <p>15 with the judge in which it was indicated</p> <p>16 that there would be submissions with</p> <p>17 regarding the invocation of the Fifth</p> <p>18 Amendment privilege as has been done here</p> <p>19 today. And that if the judge finds that it</p> <p>20 has been overbroad, that I would be</p> <p>21 permitted to ask questions regarding assets</p> <p>22 at a separate continued deposition date.</p> <p>23 And so what we are going to do right</p> <p>24 now is move beyond some asset-related</p> <p>25 inquiry and move back to some other</p> |
| <p>78</p> <p>1 past, all this time that it was CCP, I am CCP's</p> <p>2 number one enemy, and all this time that there were</p> <p>3 so many cases, such as like the Department of</p> <p>4 Justice, Higginbotham being bribed, and Elliott</p> <p>5 Broidy being bribed, and they were also like trying</p> <p>6 to kidnap me or arrest me or hurting me, and then</p> <p>7 trying to suss out all the information about me and</p> <p>8 my wife.</p> <p>9 And then, in fact, the questions</p> <p>10 that you are asking me were exactly what the CCP</p> <p>11 wanted to know all the time online and getting</p> <p>12 people to try to find out this information.</p> <p>13 So -- and you did not talk anything</p> <p>14 about the case that is involving Cheng Shuiyan. And</p> <p>15 all this time you were just helping the CCP, sassing</p> <p>16 out my information and trying to hurt me and trying</p> <p>17 to harm me.</p> <p>18 And so for the safety sake, that</p> <p>19 is the least I can do to protect my family, I am</p> <p>20 not answer your question. In fact, you are not</p> <p>21 even a hooligan counsel, lawyer --</p> <p>22 Q. Thank you, stop. Please, stop,</p> <p>23 please. You are pausing.</p> <p>24 A. (In English) I don't stop. I don't</p> <p>25 stop.</p> | <p>80</p> <p>1 questions.</p> <p>2 THE INTERPRETER: Counsel, let me</p> <p>3 interpret that part first.</p> <p>4 Q. You indicated that your wife does not</p> <p>5 live with you. Do you have any children?</p> <p>6 MR. GAVENMAN: Objection to form.</p> <p>7 You can answer.</p> <p>8 A. A son and a daughter.</p> <p>9 Q. What are their names?</p> <p>10 A. Guo Quiang, Guo Mei.</p> <p>11 (Reporter clarification)</p> <p>12 Q. Do either of your children live with</p> <p>13 you?</p> <p>14 A. No.</p> <p>15 Q. Are they over 18?</p> <p>16 A. Yes.</p> <p>17 Q. Have you discussed your litigation,</p> <p>18 either in Nevada or this case with Mr. Cheng, with</p> <p>19 either of your children?</p> <p>20 A. No.</p> <p>21 Q. Have you discussed this case or the</p> <p>22 underlying Nevada case with anyone else other than</p> <p>23 your attorneys?</p> <p>24 A. No.</p> <p>25 Q. Is there anybody in the</p> |

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21 (81 to 84)

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| <p>81</p> <p>1 Sherry-Netherland residence with you right now?</p> <p>2 A. The hotel security and then also the</p> <p>3 cleaning people, cleaning team of the building.</p> <p>4 Q. I'm assuming you have not discussed</p> <p>5 this case with any of them, correct?</p> <p>6 A. Yes. That's correct.</p> <p>7 Q. And I apologize for this question, but</p> <p>8 do you have a girlfriend or boyfriend with whom</p> <p>9 you may have discussed this case?</p> <p>10 A. No.</p> <p>11 Q. OK. Now, do you also -- it is my</p> <p>12 understanding you also lived on a boat this</p> <p>13 summer?</p> <p>14 A. Yes.</p> <p>15 Q. Did anybody live on the boat with you?</p> <p>16 A. Yeah, there were many. Like there are</p> <p>17 eight or nine crews.</p> <p>18 Q. Only crew members lived on the boat?</p> <p>19 A. Well, there were guests, there were</p> <p>20 guests of the owner. So sometimes they were --</p> <p>21 and they were there -- too. I don't know.</p> <p>22 (Audio issue; reporter</p> <p>23 clarification)</p> <p>24 THE INTERPRETER: OK, I'm done.</p> <p>25 Q. Who were these guests?</p> | <p>83</p> <p>1 that our -- we are strategic partners.</p> <p>2 Q. How were you strategic partners?</p> <p>3 A. Well, we are partners in having the</p> <p>4 common goal of eliminating the Chinese Communist</p> <p>5 Party and telling the truth to the west.</p> <p>6 Q. Sorry, do you have a formal business</p> <p>7 relationship with Mr. Bannon?</p> <p>8 A. No.</p> <p>9 Q. Do you still communicate with</p> <p>10 Mr. Bannon?</p> <p>11 MR. GAVENMAN: What possible</p> <p>12 relevance does any of this have --</p> <p>13 A. Yes.</p> <p>14 MR. GAVENMAN: This is so far afield</p> <p>15 to anything relevant to this case. I've let</p> <p>16 a whole bunch of questions go here, but you</p> <p>17 can't possibly tell me there is some reason</p> <p>18 to ask these questions other than some</p> <p>19 harassing purpose.</p> <p>20 If you have another purpose, we</p> <p>21 can discuss it, but there is no way this</p> <p>22 is relevant to the case.</p> <p>23 Q. Are you still in communication with</p> <p>24 Mr. Bannon?</p> <p>25 A. Yes, we are still in communication,</p> |
| <p>82</p> <p>1 A. Well, I am not the owner of the boat.</p> <p>2 So I can't -- I'm unable to answer that.</p> <p>3 Q. Did Steve Bannon live on the boat this</p> <p>4 past summer?</p> <p>5 A. For a period of time.</p> <p>6 Q. So you remember one person. Who else</p> <p>7 can you now remember?</p> <p>8 A. Others.</p> <p>9 Q. Who were these others?</p> <p>10 A. I don't recall.</p> <p>11 Q. Why are you able to now recall</p> <p>12 Mr. Bannon and not the others?</p> <p>13 A. I don't recall.</p> <p>14 Q. Did you discuss your litigation with</p> <p>15 Mr. Cheng with Mr. Bannon?</p> <p>16 A. I don't recall.</p> <p>17 Q. If we were to ask Mr. Bannon, would he</p> <p>18 have any information about your lawsuits with</p> <p>19 Mr. Cheng?</p> <p>20 A. I don't know.</p> <p>21 Q. What is your relationship with</p> <p>22 Mr. Bannon?</p> <p>23 A. Well, we had the common goal of</p> <p>24 eliminating the Chinese Communist Party and let</p> <p>25 the public know about the truth of the virus. And</p> | <p>84</p> <p>1 yes.</p> <p>2 Q. How are you in communication?</p> <p>3 A. Phone calls.</p> <p>4 Q. Do you call him or does he call you?</p> <p>5 MR. GAVENMAN: Unless you agree with</p> <p>6 the representation -- we can go off the</p> <p>7 record -- how any of this is possibly</p> <p>8 relevant? You are just harassing the</p> <p>9 witness. I will be happy to talk off line</p> <p>10 if there is any sort of basis why this is</p> <p>11 relevant, OK, we can proceed.</p> <p>12 But you are just harassing him</p> <p>13 for things that are completely</p> <p>14 irrelevant. You have been doing that</p> <p>15 for most of the deposition. What</p> <p>16 does -- how he calls or doesn't call</p> <p>17 Steve Bannon have anything to do with</p> <p>18 this case? Come on.</p> <p>19 MR. WOLMAN: Actually, you may not</p> <p>20 recall but your client testified that he</p> <p>21 doesn't take phone calls. So now he just</p> <p>22 did.</p> <p>23 MR. GAVENMAN: He didn't testify that</p> <p>24 he doesn't take phone calls. He didn't</p> <p>25 testify that he doesn't take phone calls.</p> |

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Conducted on April 1, 2021

22 (85 to 88)

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| <p style="text-align: right;">85</p> <p>1 MR. WOLMAN: I'm exploring the prior</p> <p>2 testimony.</p> <p>3 MR. GAVENMAN: That's not what he</p> <p>4 said. That's not what he said and we are</p> <p>5 talking about Steve Bannon, his relationship</p> <p>6 with Steve Bannon. You are trying to find</p> <p>7 out whether he takes phone calls? That's</p> <p>8 the point of it? That's what you are doing?</p> <p>9 You can ask that question.</p> <p>10 But his relationship with Steve</p> <p>11 Bannon and his partnership, things like</p> <p>12 that -- that's what you have been</p> <p>13 asking, which is not about phone calls,</p> <p>14 you haven't made a representation why</p> <p>15 this is relevant so if you want to ask a</p> <p>16 question about phone calls, go right</p> <p>17 ahead. But don't mischaracterizes</p> <p>18 testimony. And you can ask that</p> <p>19 question. That's enough with Steve</p> <p>20 Bannon. It this has no possible</p> <p>21 relevance.</p> <p>22 MR. WOLMAN: I thought you said we</p> <p>23 weren't doing speaking objections.</p> <p>24 MR. GAVENMAN: I said I would be</p> <p>25 happy to go off the record. As I said that,</p> | <p style="text-align: right;">87</p> <p>1 and also it is a kind of a threat to,</p> <p>2 like I said, the third-party who are</p> <p>3 irrelevant to this case such as my</p> <p>4 children, my son, my daughter, my family</p> <p>5 and my friend.</p> <p>6 You see a lot of such deposition</p> <p>7 information will be posted online</p> <p>8 subsequently and posing great threat to</p> <p>9 their safety and, in fact, that has been</p> <p>10 done a lot by Cheng Shuiyan himself.</p> <p>11 So if afterward, any of this</p> <p>12 information is going to be posted online</p> <p>13 about, for example, my clothes, my way</p> <p>14 of life and then my family, my friends,</p> <p>15 it's really a form of serious threat to</p> <p>16 the safety of the irrelevant third-party</p> <p>17 to this case.</p> <p>18 And I strongly request a phone</p> <p>19 call to the judge to let him know or her</p> <p>20 know that this is a threat to me and my</p> <p>21 friend.</p> <p>22 And the thing also that you see,</p> <p>23 the questions surrounding my clothes, my</p> <p>24 way of life, my wife, my son, my</p> <p>25 daughter and Mr. Bannon, this is really</p> |
| <p style="text-align: right;">86</p> <p>1 you went forward to not going off the</p> <p>2 record. I responded to what you said. I</p> <p>3 welcome going off the record?</p> <p>4 THE WITNESS: Hold on. We are --</p> <p>5 hang on. May I actually make a</p> <p>6 recommendation, suggestion to my counsel,</p> <p>7 Jeff?</p> <p>8 MR. GAVENMAN: OK.</p> <p>9 THE WITNESS: Actually, I want to</p> <p>10 tell you that I am seriously uncomfortable,</p> <p>11 uneasy because I feel like the questions</p> <p>12 they are posing to me has not been relevant</p> <p>13 to the case of Cheng Shuiyan and it is</p> <p>14 really that the questions were asked of me</p> <p>15 were about my friends, my family, and it is</p> <p>16 something that the Chinese Communist Party's</p> <p>17 line of questions.</p> <p>18 So I am feeling uneasy and</p> <p>19 uncomfortable because I feel like it is</p> <p>20 already posing threat to my own safety and</p> <p>21 the safety of my friends and family.</p> <p>22 Is it possible to actually even</p> <p>23 call the judge about that to tell them</p> <p>24 that I am very uneasy about that?</p> <p>25 So it is a kind of abuse to me</p> | <p style="text-align: right;">88</p> <p>1 the circle of my life and this is the</p> <p>2 map, the entire map of my life. And to</p> <p>3 my safety, if you can go online to</p> <p>4 check, that is exactly the questions the</p> <p>5 line of information the CCP always</p> <p>6 trying to describe and depict and</p> <p>7 collect.</p> <p>8 So with this line of questions,</p> <p>9 to me, it is a seriously exposing my</p> <p>10 person to great danger and great threat.</p> <p>11 That is why I feel like this kind of</p> <p>12 question, the line of question is</p> <p>13 actually bearing malice and I wish to</p> <p>14 make this known to the judge and I wish</p> <p>15 my counsel would help me to contact the</p> <p>16 judge and let them know that.</p> <p>17 MR. GAVENMAN: And I agree. And I</p> <p>18 think we have gone to the line of</p> <p>19 harassment. Any questions about Bannon, it</p> <p>20 is really not relevant, who is living on the</p> <p>21 boat, it's really not relevant.</p> <p>22 You represented to the judge we</p> <p>23 would move on to the Nevada litigation.</p> <p>24 If you don't, if you keep on this line</p> <p>25 of questioning, I will go to the judge</p> |

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Conducted on April 1, 2021

23 (89 to 92)

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| 89 | <p>1 and go right back to her.</p> <p>2 This is completely irrelevant.</p> <p>3 you know it. You told the junk we would</p> <p>4 go to the Nevada litigation, let's go to</p> <p>5 that please.</p> <p>6 MR. WOLMAN: Can the reporter read</p> <p>7 back my last question.</p> <p>8 (Record read)</p> <p>9 MR. WOLMAN: Thank you.</p> <p>10 Q. Mr. Kwok, do you call Mr. Bannon or</p> <p>11 does he call you?</p> <p>12 A. I don't recall.</p> <p>13 Q. What device do you use for these</p> <p>14 telephone calls?</p> <p>15 A. I don't recall.</p> <p>16 Q. Do you call him from the phone that</p> <p>17 you showed us earlier?</p> <p>18 A. No.</p> <p>19 Q. What is your highest level of</p> <p>20 education?</p> <p>21 A. Middle school.</p> <p>22 Q. When was the last time you held a job?</p> <p>23 A. I don't recall.</p> <p>24 Q. What was your last paid employment</p> <p>25 job?</p> | 91 | <p>1 A. I don't recall.</p> <p>2 Q. Have you ever been employed in the</p> <p>3 United States?</p> <p>4 MR. GAVENMAN: On advice of counsel,</p> <p>5 Mr. Guo declines to respond to the question</p> <p>6 invoking his rights under the Fifth</p> <p>7 Amendment of the U.S. Constitution.</p> <p>8 Q. Are you refusing to answer?</p> <p>9 A. Yes.</p> <p>10 Q. You said you met Mr. Cheng once. When</p> <p>11 was that?</p> <p>12 A. It will be around October 2017.</p> <p>13 Q. And what were the circumstances of</p> <p>14 that meeting?</p> <p>15 A. So it was at the time that, in fact,</p> <p>16 that there were a number of people also present</p> <p>17 including his personal employee at the time, Lude</p> <p>18 Wang Ding Gang, and then other people name Yang</p> <p>19 Jian Li and the Han Lian Chao.</p> <p>20 We all met in Washington DC at K</p> <p>21 Hamlet Hotel and he wanted to -- wanted me to sign</p> <p>22 and to support his anti-Chinese Communist Party</p> <p>23 campaign and he told me that he respected my</p> <p>24 effort and that he showed his encouragement to my</p> <p>25 anti-CCP activities and -- and then also he asked</p> |
| 90 | <p>1 MR. GAVENMAN: On advice of Mr. Guo's</p> <p>2 counsel, Mr. Guo declines to respond to the</p> <p>3 question invoking his rights under the Fifth</p> <p>4 Amendment of the U.S. Constitution, and</p> <p>5 Mr. Wolman, we have established we are not</p> <p>6 going to go any further with income</p> <p>7 questions. So this --</p> <p>8 MR. WOLMAN: Let me ask this one, let</p> <p>9 me ask this one.</p> <p>10 Q. What was the last job that you held</p> <p>11 that you won't invoke the Fifth Amendment</p> <p>12 privilege for?</p> <p>13 MR. GAVENMAN: I need to object -- to</p> <p>14 the extent you can answer that based not on</p> <p>15 an attorney/client communication, you can</p> <p>16 answer.</p> <p>17 To the extent it would reveal an</p> <p>18 attorney/client communication that would</p> <p>19 include your understanding of the Fifth</p> <p>20 Amendment privilege, then please do not</p> <p>21 answer revealing any attorney/client</p> <p>22 communications.</p> <p>23 A. I actually don't recall.</p> <p>24 Q. What is the job you have held for the</p> <p>25 longest period of time?</p> | 92 | <p>1 me to sign a lot of newspapers.</p> <p>2 Q. And after that meeting, did you have</p> <p>3 any direct communications with him after that?</p> <p>4 MR. GAVENMAN: Objection to form.</p> <p>5 A. No.</p> <p>6 Q. Do you recall making a video about</p> <p>7 Mr. Cheng?</p> <p>8 A. I made a video on the 5th of June</p> <p>9 2018.</p> <p>10 Q. And why did you make that video?</p> <p>11 A. So it was in 2018, March and April,</p> <p>12 Wang Ding Gang who is Cheng Shuiyan's employee and</p> <p>13 together with Cheng Shuiyan they created a media</p> <p>14 called the Voice of Freedom. And then on YouTube,</p> <p>15 that they created a lot of the video supporting me</p> <p>16 and then also the corruptions of the Chinese</p> <p>17 communist party.</p> <p>18 However, by the end of March to</p> <p>19 April, Wang Ding Gang told me that there was</p> <p>20 someone from Beijing with a government background</p> <p>21 visiting Cheng Shuiyan and representing him</p> <p>22 expensive gifts such as expensive Moutai and then</p> <p>23 telling him not to support me. And so not to</p> <p>24 support me on the platform of Voice of Freedom.</p> <p>25 So is that he will -- Cheng</p> |

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24 (93 to 96)

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| <p style="text-align: right;">93</p> <p>1 Shuiyan also will be given like millions of 2 dollars of a gift as well. 3 And also, Wang Ding Gang also 4 told me that, you know, the Beijing person said 5 Cheng Shuiyan had a criminal case in Mongolia in 6 China and he has defrauded his business partner of 7 the amount of that hundreds of millions renminbi. 8 And if Cheng Shuiyan were to agree to cooperate 9 with Mongolian police and Chinese government, they 10 can make that case to go away. 11 Lude also said that if he, 12 himself not to help Cheng Shuiyan, and Cheng 13 Shuiyan is going to replace him with another 14 employee, Marco, in this exchange. 15 And then also because that he was 16 given by the Chinese government that hundreds of 17 millions of renminbi, so therefore, that he was 18 able to purchase his hotel in Las Vegas. 19 Not only that, Cheng Shuiyan had 20 -- make alliance with some people in Japan and 21 Canada and establish some kind of human right 22 alliance and then talking about to support the 23 oversee the stability and harmony and so on, so 24 forth and declare that I was a rural person that 25 has defrauding and tricks -- tricking and acting</p> | <p style="text-align: right;">95</p> <p>1 world, and several of those people, after they had 2 been interviewed, they were arrested and they 3 disappeared, and in fact, those people, before 4 they disappeared, they told me that they were 5 being threatened by the Mongolian police and also 6 that you see that Cheng Shuiyan were telling them 7 that they were CCP internal information and 8 telling them the information that is to attack me. 9 So all of this is proven in line with 10 what Lude told me. Marco told me -- Marco told 11 me -- 12 Q. Not responsive to my question. Strike 13 that. 14 (Simultaneous crosstalk) 15 THE INTERPRETER: The witness is 16 saying something and counsel is also saying 17 something. 18 MR. WOLMAN: There is no question, 19 there is no question. 20 THE INTERPRETER: I haven't finished 21 he said. 22 A. Then also, what the videos or the 23 program they created by Marco and then with all 24 these attack, verbal attack that they have made of 25 me is exactly the same as Cheng Shuiyan and the</p> |
| <p style="text-align: right;">94</p> <p>1 together with the Chinese government and spreading 2 that this kind of malicious rumor about me. 3 So Lude at that point thought that Cheng 4 Shuiyan went altogether crazy and changing the right 5 to the wrong and so that he left Cheng Shuiyan. So 6 Cheng Shuiyan replace Lude with another employee 7 called Marco. 8 And so they were creating 9 programs all together just targeting at attacking 10 me and spreading malicious rumor about me and so 11 that is when at that time, I decided to retaliate 12 by telling Cheng Shuiyan was actually a criminal 13 conspiring with the Chinese government, in cohort 14 with them and so that is why I make that video. 15 Q. What did you do to verify anything 16 that Lude told you? 17 A. So of course I did. You see, first of 18 all, what Lude said was factual, and so because 19 later on, that Marco was put into the position to 20 replace Lude and also that platform, you know, the 21 Freedom, Voice of Freedom, it was so proprietary 22 of -- this is of Cheng Shuiyan. 23 And so a lot of the people that 24 they were interviewing during that program, they 25 were my supporters in China and all over the</p> | <p style="text-align: right;">96</p> <p>1 program, it's exactly the kind of words and line 2 of attack. So all of that was like just like what 3 Lude has said. So it has been proven to me. 4 Q. Mr. Guo, please stop. 5 A. So as -- 6 Q. He is not answering the question. Not 7 responsive. 8 (Simultaneous crosstalk) 9 THE INTERPRETER: OK. 10 And the witness also said that 11 because Lude and Marco, they were all 12 Cheng Shuiyan's employees so that what 13 he said can be trusted. Personal 14 employee. 15 Q. What evidence do you have that 16 Mr. Cheng defrauded Hong Kong businessmen 100 17 million yuan? 18 A. So you see that the counsel -- the 19 lawyer who was handling Cheng Shuiyan's case in 20 mainland China had actually been in contact with 21 me before and giving me a large amount of the 22 documents denoting, describing the fraudulent 23 behavior, the criminal behavior of Cheng Shuiyan 24 in defrauding his business partner in mainland 25 China and including the one in Hong Kong.</p> |

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25 (97 to 100)

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| <p style="text-align: right;">97</p> <p>1 And in fact, his Hong Kong 2 partner also had in contact with me and giving me 3 such documents as well and then all those 4 documents and the information I stored in the 5 computer and the cell phone before and which were 6 hacked and all been destroyed. Otherwise, I would 7 have them in my cell phone and my computer. 8 And in fact, including some kind 9 of bank documents and also his criminal record -- 10 documents and records in mainland China and his 11 lawyer provided them to me and I have -- I had all 12 of them. 13 Q. OK, what was the name of this lawyer? 14 A. And I don't recall it now. 15 Q. What was the name of this Hong Kong 16 business partner? 17 A. I don't recall that now either. 18 Q. When did this alleged hack take place? 19 A. It was after Cheng Shuiyan and his 20 employee, personal employee, Marco, made the 21 attack on me on the platform Geter, and since 22 then, my cell phone was hacked daily. In fact, 23 really daily. 24 In fact, it was from May 2018 and August 25 2018, Cheng Shuiyan and his personal employee,</p> | <p style="text-align: right;">99</p> <p>1 that would be the cell phone that was hacked which 2 stored the documents of Cheng Shuiyan. 3 And also at the time, I had a 4 Twitter account as well, and when that happened, I 5 tweeted out and sending out messages that telling 6 my phone was hacked, the documents were hacked, 7 and so the Twitter message and videos, I send the 8 message out. 9 Q. When did you throw out these phones? 10 A. Around August or September 2018. I'm 11 not saying that I dispose all the phones within a 12 day. Well, sometimes here, sometimes there. 13 Sometimes -- hang on. 14 So that I sometimes this day, 15 sometimes later, sometimes earlier, it's because 16 those cell phones, once they were hacked -- 17 sometimes they were just being hacked, but 18 sometimes the entire phone was on fire. 19 So to keep all these phones here would 20 really be like threatening so that's why I just 21 disposed of them. 22 Q. I'm a little confused because isn't it 23 true that the HBO piece aired on November 15, 24 2017, months before the video of May 2018 -- 25 sorry, June 2018?</p> |
| <p style="text-align: right;">98</p> <p>1 Marco, being -- attacking me and because of that 2 attack and I changed my cell phone was hacked either 3 every day or every other two days. So basically at 4 that time, I need to change cell phone nearly every 5 day. 6 Q. And the documents were on this cell 7 phone and the computer, you say? 8 A. Yes, it was on that cell phone. 9 Q. And where is that cell phone now? 10 A. All thrown away. Because I could not 11 open them anymore and I could not use them 12 anymore. 13 Q. And where is that computer now? 14 A. I did not use computer. I was 15 actually just using cell phone. I was talking 16 about just cell phone. 17 Q. How did these documents get to your 18 cell phone? 19 A. At the time, it was through WhatsApp 20 and MSN Messenger. 21 In fact, that HBO had made an 22 interview, had interviewed me, and then during 23 that interview is -- you can check on those 24 videos, during that interview, I placed on the 25 table 80 of those cell phone and amongst which,</p> | <p style="text-align: right;">100</p> <p>1 A. So what -- maybe there is some mistake 2 and I did not say that the cell phone was hacked 3 in those cell phone displayed in the HBO 4 interview. 5 I merely said that during that 6 interview, I have displayed the cell phones that 7 have -- so many of the cell phones being hacked. 8 So I was just saying that my cell phone 9 was already hacked during that time, but the peak of 10 the hacker was happening in 2018 between May and 11 August. 12 Q. OK. And you say you probably disposed 13 of the phone that had the documents regarding 14 Mr. Cheng at some point in August or September of 15 2018, correct? 16 A. Yes. 17 Q. And at what point -- 18 A. Let me think, let me think. 19 THE INTERPRETER: Counsel, do you 20 mind if I clarify with the witness one word 21 that I'm not quite sure I caught? 22 MR. WOLMAN: Sure. 23 A. So the thing is that you see, even 24 though those documents were destroyed, however, a 25 lot of such documents had already been tweeted on</p> |

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26 (101 to 104)

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| <p style="text-align: right;">101</p> <p>1 to the network, on the Geteer platform. So if you 2 were to make a such, you can find those documents. 3 Q. When was it you first decided to sue 4 Mr. Cheng? 5 A. So I really cannot quite recall from 6 June, July, August, you know, during that period 7 of time, he made serious attacks towards myself 8 and my family, full of malice and including he 9 himself, his employee, Marco, every day just 10 incessantly just creating attack towards me. It 11 has brought so much harm and so much destruction 12 to my life and my family. 13 So I really cannot recall exactly when 14 that I decide to sue him, perhaps in May or August, 15 around that time. 16 Q. When did you hire attorney Christopher 17 Rose and/or the law firm of Jolley, Urga, 18 Woodbury, Holthus & Rose? 19 A. So I must also clarify that, you know, 20 I actually don't remember the names, the names of 21 the counsel or the names of the firm. All these 22 names that you just talked about, I have no 23 concept whatsoever. 24 But do you mind if I go to the 25 bathroom?</p> | <p style="text-align: right;">103</p> <p>1 A. I don't have any recollection. 2 Q. Who told you to dispose of the phones? 3 A. Myself. 4 Q. Did anybody ever tell you not to 5 dispose of phones? 6 A. I don't recall. 7 Q. Do you have any awareness of an 8 obligation to preserve documents in anticipation 9 of litigation? 10 MR. GAVENMAN: Objection. 11 To the extent you can answer that 12 without it being based on 13 attorney/client communication, you're 14 welcome to answer it, but please don't 15 reveal attorney/client communications. 16 A. My answer is no. 17 Q. Is there any reason nothing about your 18 video or these documents were mentioned in your 19 August 9, 2018 complaint against Mr. Cheng in 20 Nevada? 21 MR. GAVENMAN: Again, I strongly 22 caution you not to reveal any 23 attorney/client communications. 24 To the extent any understanding 25 comes from attorney/client</p> |
| <p style="text-align: right;">102</p> <p>1 Q. That's fine. 2 Wait, strike that, let's answer 3 the question. When did you hire the law firm that 4 filed the Nevada suit? 5 A. I cannot recall the specific time. 6 Q. OK, we can take a five-minute bathroom 7 break. 8 (Recess; 2:31 p.m. to 2:40 p.m.) 9 Q. Mr. Guo, do you ever attempt to 10 recover the data from any of these phones you 11 claim were hacked? 12 A. Well, it was never recovered 13 successfully. 14 Q. Who attempted to recover it? 15 A. I don't recall. 16 Q. Did you ever submit what -- these one 17 or more phones to a professional forensic company 18 for recovery? 19 A. I don't recall. 20 Q. Did your Nevada attorneys assist you 21 in attempting to get any data recovery from this 22 device or devices? 23 A. I don't recall. 24 Q. Well, what do you recall about the 25 recovery efforts for the data on the phones?</p> | <p style="text-align: right;">104</p> <p>1 communications, you should not reveal 2 them. 3 To the extent you can answer it 4 without revealing, you can. 5 A. No. 6 Q. You mentioned the use of MSN 7 Messenger. What is the Microsoft account 8 affiliated with that? 9 MR. GAVENMAN: Objection to form. 10 A. Well, I have over a hundred of a cell 11 phone. I really cannot recall any of those. 12 Q. Are you aware that -- 13 A. So when I'm talking about hundreds of 14 cell phone I use, that would be the situation to 15 the period of August of 2018. In fact, I would 16 have much more of the cell phone use after August 17 2018. 18 Q. How is it possible that you had an MSN 19 messenger account without having an e-mail 20 address? 21 MR. GAVENMAN: Objection to form, 22 foundation. 23 A. Well, I only know when I have a cell 24 phone, then there is a cell phone number so that 25 would be MSN, this function that I can use. I</p> |

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27 (105 to 108)

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| <p>105</p> <p>1 don't know that MSN is having any connection with 2 e-mail. 3 Q. Who sets up your cell phone each time 4 you get one? 5 A. I don't recall. 6 Q. Can you recall anybody who has ever 7 helped you set up a cell phone? 8 A. I don't recall. 9 Q. You have an Apple iPhone there? 10 A. Yes. 11 Q. What is the Apple ID associated with 12 that iPhone? 13 A. I don't know. 14 Q. You just got that a few days ago, 15 correct? 16 A. Yes. 17 Q. Do you still have it in front of you 18 or with you in the room? 19 A. No, it's in another room. 20 Q. OK. We have had a few breaks so far. 21 Did you speak with anybody during those breaks? 22 A. No. 23 Q. Have you sent any communications with 24 anybody during any of the breaks that we have had 25 today?</p> | <p>107</p> <p>1 electronic copy of the original complaint filed in 2 Nevada by you against Mr. Cheng on August 9, 2018. 3 We can scroll through it. 4 Did you read this document either 5 in English or as translated before it was filed? 6 A. A simple translation, yes, someone had 7 briefly translated that for me. 8 Q. Who translated it? 9 A. I cannot recall. 10 Q. Were they affiliated with the Nevada 11 law firm, who translated it? 12 A. I don't know. 13 Q. How did you make the acquaintance of 14 this translator? 15 MR. GAVENMAN: Objection, form, 16 foundation. 17 A. Well, I don't know this translator. 18 Q. Now, paragraph 101 on page 13 states, 19 "Cheng does not know Guo personally." 20 You testified, however, that the 21 two of you had met back months before this 22 complaint was filed, correct? 23 A. You have misunderstood because what it 24 says here, Cheng does not know Guo personally 25 meant before, long before we met personally, long</p> |
| <p>106</p> <p>1 A. No. 2 Q. Did you read the Nevada complaint 3 before it was filed? 4 And actually strike that. I'm 5 going to upload a document. 6 MR. WOLMAN: It should be going. 7 TECHNICIAN: Make sure you hit -- 8 MR. WOLMAN: I did. 9 TECHNICIAN: OK. Some people miss 10 that. 11 MR. WOLMAN: The progress bar is not 12 moving for some reason. 13 THE INTERPRETER: I was explaining to 14 the witness that we are waiting for the 15 document upload. 16 MR. WOLMAN: I just uploaded to the 17 Zoom. Can you use that? 18 TECHNICIAN: Yes, absolutely. One 19 moment, please. 20 Q. I am marking as Exhibit 3 and 21 displaying the document on the screen. 22 (Exhibit 3, document entitled 23 "Complaint" marked for identification, 24 as of this date.) 25 Q. Mr. Guo, I would represent this is an</p> | <p>108</p> <p>1 before that he accused me of being rapist and 2 killers, I had to -- this millions and millions of 3 dollars of deal with Xi Jinping and betraying the 4 1.4 billion of Chinese people, we did not know 5 each other. 6 So I emphasized that before he 7 maliciously insulted me, threatening me, harming 8 me and before we met each other, we -- did he not 9 know me. 10 Q. I am sorry, when did my client call 11 you a rapist? 12 A. Let me see, he started to have his 13 personal employee Marco in March and then started 14 out from April, May and June, all the way to 15 August, they started to maliciously viciously 16 attacking me verbally and him, himself and his 17 personal employee, Marco, and kept calling me on 18 their platform that I was the rapist, I was, you 19 know, a peasant, I was a liar, I was whatever and 20 he -- they were making such threat to me and the 21 safe -- threatening my safety and my family's 22 safety and we were constantly living in -- under 23 this kind of a threat and fear. 24 Q. Move to strike, not responsive. 25 When did my client call you a</p> |

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Conducted on April 1, 2021

28 (109 to 112)

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| <p>109</p> <p>1 rapist?</p> <p>2 A. Well, the thing is that he and his</p> <p>3 employee, Marco, and all the time that on --</p> <p>4 saying that on Freedom China or Twitter, calling</p> <p>5 me that liar. But I cannot recall exactly when</p> <p>6 that Cheng Shuiyan have called me that, and he and</p> <p>7 his personal employee definitely did call me that</p> <p>8 starting from May or -- they did.</p> <p>9 Q. So you are saying --</p> <p>10 A. He did. He did, I have -- I haven't</p> <p>11 finished, sorry, Counsel.</p> <p>12 Well, and --</p> <p>13 (Simultaneous crosstalk)</p> <p>14 Q. First of all, I don't need that</p> <p>15 translated.</p> <p>16 MR. GAVENMAN: You are going to have</p> <p>17 that translated. He is going to respond.</p> <p>18 MR. WOLMAN: He is not responding to</p> <p>19 anything.</p> <p>20 MR. GAVENMAN: He most certainly is.</p> <p>21 MR. WOLMAN: He is filibustering, he</p> <p>22 is filibustering.</p> <p>23 A. I have a -- I have answered you, so</p> <p>24 that you must let me translate that. And so --</p> <p>25 and because I have answered your question.</p> | <p>111</p> <p>1 A. So I actually cannot be sure that it</p> <p>2 was Ria Ma who was actually suing me for that.</p> <p>3 You see, this case was brought</p> <p>4 forward right after I had made the broadcasting,</p> <p>5 the whistleblower broadcasting in 2017, and then</p> <p>6 on the same day, the notice from the Interpol had</p> <p>7 been issued for me, for me, my person, and then</p> <p>8 after that, this case was brought up.</p> <p>9 But the thing is, throughout this</p> <p>10 case, I have not seen Ria Ma or the documents or</p> <p>11 the information was brought forward by the police</p> <p>12 in mainland China. Ria Ma had never appeared or</p> <p>13 never shown in any way.</p> <p>14 So I believe that this is a</p> <p>15 fabricated case and brought forward by the Chinese</p> <p>16 Communist Party police and that is why Cheng</p> <p>17 Shuiyan was so very familiar with this case.</p> <p>18 But Ria Ma has never appeared and</p> <p>19 in fact, we have been trying to look for her and</p> <p>20 trying to get her to be the witness for this case</p> <p>21 but she has never shown.</p> <p>22 Q. That case is still ongoing, correct?</p> <p>23 A. Yes. We -- I should say that we are</p> <p>24 in the middle of looking for Ria Ma and we have</p> <p>25 been looking for her for many months.</p> |
| <p>110</p> <p>1 By the end of March and in June</p> <p>2 and May and April, his lawyer, from Yingnan had</p> <p>3 been -- had been calling and telling me that Cheng</p> <p>4 Shuiyan had been already accusing me of being a</p> <p>5 spy, a rapist and all that.</p> <p>6 And also including Lude and he</p> <p>7 privately told me that Cheng Shuiyan personally</p> <p>8 privately calling me rapist and liar and then also</p> <p>9 like threatening and just, you know, in fact, it's</p> <p>10 on social media as well.</p> <p>11 And then he actually naturally privately</p> <p>12 make the allegation of me being a rapist openly. In</p> <p>13 fact, he also said that I was a rapist and I needed</p> <p>14 to be deported and he tweeted that, too.</p> <p>15 And on the Twitter, he claimed</p> <p>16 that he had written to DOJ and his personal</p> <p>17 employee, Marco, also written to the DOJ that I</p> <p>18 was a rapist and needed to be deported, and so the</p> <p>19 Chinese government can, you know, just take care</p> <p>20 of me and it was all done privately and openly as</p> <p>21 well.</p> <p>22 Q. Since you seem to have opened the</p> <p>23 door, were you sued for sexual assault?</p> <p>24 A. Yes.</p> <p>25 Q. And is that a suit by Ria Ma?</p> | <p>112</p> <p>1 Q. To be clear, has anybody else accused</p> <p>2 you of sexual assault?</p> <p>3 THE INTERPRETER: Sorry, I hear two</p> <p>4 voices just now.</p> <p>5 Q. To be clear, has anybody other than</p> <p>6 Ria Ma accused you of sexual assault?</p> <p>7 A. No.</p> <p>8 (Simultaneous crosstalk)</p> <p>9 Q. As to -- there is no question posed.</p> <p>10 There is no question posed.</p> <p>11 A. That is -- that is why the -- I need</p> <p>12 to sue Cheng Shuiyan because why would he know</p> <p>13 that there was such a case, and then for bringing</p> <p>14 forward this case and then brought up this case is</p> <p>15 completely full of malice and vicious --</p> <p>16 viciousness and then trying to insult me, trying</p> <p>17 to frame me and then it was trying to threaten me</p> <p>18 and ruin me.</p> <p>19 Q. And none of those allegations appear</p> <p>20 though in Exhibit 3, do they?</p> <p>21 MR. GAVENMAN: Objection, form.</p> <p>22 A. That is why I need to, again,</p> <p>23 emphasize to you -- that is why I need to clarify</p> <p>24 with you when you're talking about Exhibit 3, you</p> <p>25 see all this document were in English and I don't</p> |

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29 (113 to 116)

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| <p>113</p> <p>1 understand English, I cannot read English. 2 Well, that is, that is why that I 3 need to tell you that, because a lot of the 4 evidence that had not been appeared on this, in 5 this complaint and also that had not been brought 6 forward in the case of Nevada's lawsuit and that 7 is exactly why that they have -- there were two 8 lethal fatal made for that case and as a result, 9 we lost that lawsuit. 10 One is that Lude was -- Lude was 11 and that's Wang Ding Gang, and also Marco, who was 12 the personal employee of Cheng Shuiyan, they made 13 this defamation insult of me and that was because 14 they were instructed and told by Cheng Shuiyan. 15 And so Cheng Shuiyan would need to be responsible 16 for all the attacks and the insult and defamed 17 remarks that they have made of me, and that has 18 not been included in this case as the evidence. 19 And also including quite a lot of 20 information including in the cell phone and being 21 lost and all that, I had not been included in any 22 of this complaint. And that is why that we have 23 lost it. And why that we have used a new lawyer 24 and to open this case again. 25 And that also includes the fact</p> | <p>115</p> <p>1 that in March, Cheng Shuiyan met with someone from 2 mainland China and he was actually a Mongolian 3 police. 4 So he was drinking Moutai alcohol 5 with this person and given hundred million -- 6 millions of dollars by this person and just so 7 that he can defame me and insult me. 8 All of that was actually recorded 9 and told by Lude and these are fact, factual as 10 just a piece of steel metal, and the only person 11 who would think that I am the enemy and I am a bad 12 person is the Chinese Communist Party. they are 13 the only people who would consider me as enemy or 14 people working with them would consider me an 15 enemy. 16 So I can tell you I know that 17 that Cheng Shuiyan was very wealthy, but the thing 18 is that the money that he got came from defrauding 19 people in China and being defrauding his business 20 partner in China and coming from ill-gotten means. 21 Q. And this information you got from a 22 person named Lude who was losing his job, correct? 23 MR. GAVENMAN: Objection to form. 24 A. OK. So Lude did not lose his job. 25 Lude gave up his job because he did not want to be</p> |
| <p>114</p> <p>1 that we have only -- I have only 15,000 of the 2 damage from him. It is a very low amount. 3 The reason that we only sought 4 such a low amount is because it was only to try to 5 stop him, stop him from making -- continue of 6 making malicious insult and vicious rumor that is 7 very destructive to me and my family and also 8 spreading all this deception online about me and 9 created by him and his personal employee, Marco, 10 and proven by his conversations together with 11 Lude. 12 And all of that had not been included 13 into that complaint made to the Nevada case and that 14 is why that we are pursuing that. 15 We hope that with this 16 opportunity that we can provide more fact to the 17 judge and then for this case and so that we can 18 know that Cheng Shuiyan was in cohort with the CCP 19 and conspired with them and spreading destructive 20 insult of me and creating malicious rumors about 21 me that is very destructive. 22 Q. Do you have any -- excuse me, my turn. 23 Do you have any actual evidence 24 that my client is working with the CCP? 25 A. OK, so you see that, as I was saying,</p> | <p>116</p> <p>1 conspired with the CCP. 2 And since that he gave up his job 3 with Cheng Shuiyan, his life is even better. He 4 was doing so much better with his anti-Chinese 5 Communist Party activities. 6 And also I must clarify, the 7 information did not come from Lude. As I stated, 8 the information come from Cheng Shuiyan -- the 9 lawyer from -- the Yingnan lawyer who is also the 10 Mongolian police, the intelligence police, and 11 also that the -- to the Mongolian police 12 interviews of those people that who had been 13 disappeared, who had been arrested after they were 14 supportive of me and they were arrested by those 15 police, it come from those people as a source. 16 Not from Lude. 17 Q. And other than Lude, you don't have 18 the names today remembering any of these other 19 sources, do you? 20 A. If you wish to search for those names 21 and, you know, if you have time, those names were 22 online and you can actually find them. 23 Q. Can you find them? 24 A. I can try. 25 Q. Excellent. Will you provide them with</p> |

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Conducted on April 1, 2021

30 (117 to 120)

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| 117 | <p>1 your counsel to supplement the initial</p> <p>2 disclosures?</p> <p>3 A. I cannot guarantee but I will try.</p> <p>4 Q. When do you think you can get us that</p> <p>5 information by?</p> <p>6 A. I cannot guarantee. As I said, I</p> <p>7 cannot promise. So I cannot tell you what --</p> <p>8 when.</p> <p>9 Q. Now, if you wanted to, you could have</p> <p>10 any of your legal pleadings translated for you,</p> <p>11 correct?</p> <p>12 A. You mean by whom?</p> <p>13 Q. Did you have a certified translator</p> <p>14 translate any legal pleading for you?</p> <p>15 A. Our lawyer was doing a fine job.</p> <p>16 Q. How did you know your lawyer was doing</p> <p>17 a find job only now to find out there was</p> <p>18 information not included?</p> <p>19 A. So my -- what I meant was that usually</p> <p>20 lawyer would do a good job. It's just of course</p> <p>21 that lawyer, that particular lawyer did not do a</p> <p>22 good job. But usually lawyers can be relied upon.</p> <p>23 Q. If you wanted to, you could have</p> <p>24 anything translated, correct?</p> <p>25 A. Of course.</p> | 119 | <p>1 repeat the interpreting?</p> <p>2 MR. WOLMAN: Yes.</p> <p>3 A. I borrowed from them.</p> <p>4 Q. Is there an agreement memorializing</p> <p>5 this borrowing?</p> <p>6 A. No.</p> <p>7 Q. Do you have to pay them back?</p> <p>8 MR. GAVENMAN: On advice of counsel,</p> <p>9 Mr. Guo declines to respond to the question</p> <p>10 invoking his rights under the Fifth</p> <p>11 Amendment of the U.S. Constitution.</p> <p>12 Q. How much did you borrow?</p> <p>13 MR. GAVENMAN: On advice of counsel,</p> <p>14 Mr. Guo declines to respond to the question</p> <p>15 invoking his rights under the Fifth</p> <p>16 Amendment of the U.S. Constitution.</p> <p>17 Q. Was there a term of interest in this</p> <p>18 borrowing arrangement?</p> <p>19 MR. GAVENMAN: Objection to form.</p> <p>20 Foundation.</p> <p>21 A. Yes.</p> <p>22 Q. How much was the rate of interest?</p> <p>23 MR. GAVENMAN: On advice of counsel,</p> <p>24 Mr. Guo declines to answer the question</p> <p>25 invoking his rights under the Fifth</p> |
| 118 | <p>1 Q. Who paid for the litigation in Nevada?</p> <p>2 A. Golden Spring.</p> <p>3 Q. Why?</p> <p>4 MR. GAVENMAN: Wait. On the advice</p> <p>5 of Mr. Guo's counsel, Mr. Guo declines to</p> <p>6 respond to the question invoking his rights</p> <p>7 under the Fifth Amendment of the U.S.</p> <p>8 Constitution.</p> <p>9 MR. WOLMAN: Jeff, that's not an</p> <p>10 asset-related question. That is a</p> <p>11 motivation.</p> <p>12 MR. GAVENMAN: We are invoking the</p> <p>13 Fifth. We have already been through this.</p> <p>14 We had 20 questions about why they pay for</p> <p>15 stuff. I don't know why you would think</p> <p>16 there would be a different answer here.</p> <p>17 THE WITNESS: Counsel, I just need to</p> <p>18 go to close my window because the window is</p> <p>19 open at the moment. There is a gust of</p> <p>20 wind. So I need to close the window. Is it</p> <p>21 all right if I go to do that?</p> <p>22 MR. WOLMAN: Sure.</p> <p>23 Q. Did you ask Golden Spring to pay for</p> <p>24 the Nevada litigation?</p> <p>25 THE INTERPRETER: Counsel, may I</p> | 120 | <p>1 Amendment of the U.S. Constitution.</p> <p>2 Q. Did Golden Spring New York -- strike</p> <p>3 that.</p> <p>4 If you had won your case against</p> <p>5 Mr. Cheng in Nevada, would Golden Spring New York</p> <p>6 have been entitled to any portion of that</p> <p>7 recovery?</p> <p>8 MR. GAVENMAN: On advice of counsel,</p> <p>9 Mr. Guo declines to respond to the question</p> <p>10 invoking his rights under the Fifth</p> <p>11 Amendment of the U.S. Constitution.</p> <p>12 Q. Have you borrowed from Golden Spring</p> <p>13 New York to finance any other litigation?</p> <p>14 MR. GAVENMAN: On advice of counsel,</p> <p>15 Mr. Guo declines to respond to the question</p> <p>16 invoking his rights under the Fifth</p> <p>17 Amendment of the U.S. Constitution.</p> <p>18 Q. Subsequent to your disappointment with</p> <p>19 the prior Nevada law firm, have you done anything</p> <p>20 to ensure that all documents in your litigation</p> <p>21 with Mr. Cheng are translated for you?</p> <p>22 A. No.</p> <p>23 MR. WOLMAN: Let's, Juliet, let's</p> <p>24 take out document number 003.</p> <p>25 TECHNICIAN: Yes, marking as Exhibit</p> |

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31 (121 to 124)

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| 121 | <p>1 4. And the document is on the screen. 2 (Exhibit 4, Complaint and Jury 3 Demand marked for identification, as of 4 this date.) 5 Q. Mr. Guo, I will represent that this is 6 the complaint and jury demand in this case. 7 Did you have it translated for 8 you? 9 A. At the time that I had a voice 10 simultaneous interpretation of this document for 11 me, a brief interpretation, but I do not recall 12 there was translation. 13 MR. WOLMAN: Let's pull up the 14 document that starts with 004. 15 TECHNICIAN: Marking as Exhibit 5., 16 and the document is on the screen. 17 (Exhibit 5, Defendant Wengui 18 Guo's Answer to the Complaint marked for 19 identification, as of this date.) 20 Q. I would represent this is the answer 21 to the complaint filed by Mr. Gavenman in this 22 case. 23 Did you have this document translated 24 for you? 25 A. Yes.</p> | 123 | <p>1 identification, as of this date.) 2 Q. Mr. Guo, I will note these are the 3 initial disclosures filed by -- served by your 4 attorney in this case. 5 Did you ever have this document 6 translated? 7 A. The thing is that -- allow me to 8 emphasize again, like this is an English document, 9 and you know, if you ask me any of the English 10 documents just posted in front of me on the screen 11 and to scroll down and let me see, I really cannot 12 be sure that whether I have seen it or not or 13 translated the document or not. I really cannot 14 be sure. 15 Now, if you were to give me time and put 16 the document in front of me and let me really read 17 in detail and try to remember, perhaps I can. But 18 just post in front of me scrolling, I just cannot be 19 sure. 20 MR. WOLMAN: OK. Let's go to 006. I 21 know I'm jumping around Juliet, sorry. 22 TECHNICIAN: No problem at all. 23 Marking it as Exhibit 7 and 24 Exhibit 7 is on the screen. 25 (Exhibit 7, Defendant Wengui</p> |
| 122 | <p>1 Q. If you did not have the prior 2 document, which was Exhibit 4, fully translated, 3 how were you able to assist in advising your 4 company whether or not to admit or deny certain 5 facts? 6 MR. GAVENMAN: I caution you not to 7 reveal any attorney/client communications in 8 this answer. To the extent you can answer 9 without revealing them, you are free do so. 10 A. I must clarify. You know the document 11 that you showed me previously, I actually cannot 12 be sure whether there were any words of 13 translation. There may have, there may not have. 14 I just cannot be sure. 15 And including this one also. I 16 mean, that -- I may have seen it but I may not 17 have either. 18 So any of these documents in English, I 19 just wouldn't know for sure. 20 Q. So then let's go to 008. 21 TECHNICIAN: OK. The document has 22 been marked as Exhibit 6 and is displaying 23 the document on the screen. 24 (Exhibit 6, Defendant Wengui 25 Guo's Initial Disclosures marked for</p> | 124 | <p>1 Guo's Objections and Responses to 2 Plaintiff Logan Cheng's Second Revised 3 First Set of Requests for Production of 4 Documents marked for identification, as 5 of this date.) 6 Q. This is a -- the document is a 24-page 7 document that is a your responses to our second 8 revised first set of requests for production. 9 As the technician scrolls through 10 it, you will see there are over a 100 document 11 requests, of these numbered, many of which have 12 since been omitted. 13 Do you recall seeing a translated 14 version of that, of any document with over 100 15 requests? 16 A. Yes, I recall. 17 Q. And did you have that translated for 18 you? 19 A. That I cannot recall. 20 Q. OK. Now let's go to number 005. 21 (Exhibit 8, Defendant Wengui 22 Guo's Objections and Answers to 23 Plaintiff Logan Cheng's First Set of 24 Interrogatories marked for 25 identification, as of this date.)</p> |

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32 (125 to 128)

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| <p>125</p> <p>1 Q. These are your Answers to the Revised</p> <p>2 First Set of Interrogatories. Why don't we scroll</p> <p>3 through that to the bottom.</p> <p>4 Moving back to page 5, is that</p> <p>5 your signature?</p> <p>6 A. Now -- yes, this is my signature, but</p> <p>7 I must clarify, right, I mean, I cannot recall --</p> <p>8 I cannot be sure whether there are translation --</p> <p>9 meaning a written translation document for me.</p> <p>10 But definitely verbal interpretation of</p> <p>11 these documents was provided by my counsel to me.</p> <p>12 Q. Do you understand that you signed that</p> <p>13 under penalty of perjury?</p> <p>14 A. Of course.</p> <p>15 Q. Are you certain that you understood</p> <p>16 the translations of your answers as appearing in</p> <p>17 this document?</p> <p>18 A. Yes.</p> <p>19 Q. Where were you when you signed this</p> <p>20 document?</p> <p>21 A. I cannot recall.</p> <p>22 Q. This was last week, correct?</p> <p>23 A. I cannot recall.</p> <p>24 Q. Do you see the date, March 24, 2021?</p> <p>25 A. So it should be on, you know,</p> | <p>127</p> <p>1 Let's not go into medical records. There</p> <p>2 was a request for that, we objected to it</p> <p>3 and moved for a protective order on medical</p> <p>4 issues. We can -- you are very on the</p> <p>5 boarder.</p> <p>6 MR. WOLMAN: That was before I found</p> <p>7 out your client doesn't know where he was</p> <p>8 last week to sign this.</p> <p>9 MR. GAVENMAN: OK, do you have --</p> <p>10 what his care is or isn't is really not</p> <p>11 relevant. He doesn't remember where it was.</p> <p>12 It's really where it should begin and end.</p> <p>13 Q. Are you refusing to answer the</p> <p>14 question?</p> <p>15 THE INTERPRETER: Counsel, I don't</p> <p>16 believe I finished the interpreting of that</p> <p>17 question. Can you repeat that question for</p> <p>18 me.</p> <p>19 Q. Sure. Has any physician diagnosed you</p> <p>20 with a memory condition?</p> <p>21 A. No.</p> <p>22 Q. Turning back to the last exhibit which</p> <p>23 was 00 -- which is Kwok 7, what did you do to</p> <p>24 search for responsive documents?</p> <p>25 A. Our lawyers have made the search for</p> |
| <p>126</p> <p>1 March 24, right?</p> <p>2 Q. Yes.</p> <p>3 A. In that case, it's March 24.</p> <p>4 Q. And you don't remember where you were</p> <p>5 last week when you signed this?</p> <p>6 A. I really don't recall.</p> <p>7 Q. Earlier in this deposition, I asked</p> <p>8 you if you had any medical conditions that would</p> <p>9 prevent you from answering the questions</p> <p>10 accurately.</p> <p>11 Do you have some sort of medical</p> <p>12 condition that affects your memory?</p> <p>13 A. I recall that.</p> <p>14 Q. Then why is it you are unable to</p> <p>15 recall where you were last week to sign this</p> <p>16 document?</p> <p>17 A. I don't know.</p> <p>18 Q. Are you currently under the care of a</p> <p>19 neurologist?</p> <p>20 A. No.</p> <p>21 Q. Has any physician told you you had a</p> <p>22 problem with your memory?</p> <p>23 MR. GAVENMAN: We are getting on the</p> <p>24 borderline of harassing. He just doesn't</p> <p>25 remember where the document was signed.</p> | <p>128</p> <p>1 documents.</p> <p>2 Q. Where do you store your documents?</p> <p>3 A. I did not store or kept any document.</p> <p>4 Q. Did you provide your lawyers with any</p> <p>5 of your phones or other computer devices?</p> <p>6 A. I don't have computer.</p> <p>7 Q. What is the device you are currently</p> <p>8 using to stream this deposition?</p> <p>9 A. A cell phone.</p> <p>10 Q. Is that a cell phone different from</p> <p>11 the one you showed us before?</p> <p>12 A. No, in front of me is actually a --</p> <p>13 THE INTERPRETER: Counsel, do you</p> <p>14 mind if I clarify the term with the witness?</p> <p>15 MR. WOLMAN: Sure.</p> <p>16 A. So in front much me, it is a video</p> <p>17 playing device.</p> <p>18 Q. What kind of device is it?</p> <p>19 A. I don't understand. Because you see</p> <p>20 they were in English writing -- they -- there was</p> <p>21 an English writing, so I don't really know.</p> <p>22 Q. Is it a computer?</p> <p>23 A. No, it is an image video device or</p> <p>24 something called image pick-up device, something</p> <p>25 like that.</p> |

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33 (129 to 132)

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| <p>129</p> <p>1 Q. How is it connected to the internet?</p> <p>2 A. Because it is a photo imaging device,</p> <p>3 so that it can be connected with the internet.</p> <p>4 Q. Is it connected through some form of</p> <p>5 wifi?</p> <p>6 A. It has wifi and it has cabling wire</p> <p>7 function as well.</p> <p>8 Q. And it doesn't connect -- does it</p> <p>9 connect in any way to a computer?</p> <p>10 A. I don't really know because it has a</p> <p>11 box. It's called a live broadcasting box because</p> <p>12 I broadcast with myself anywhere. So that's why</p> <p>13 this is a portable device and it has a live</p> <p>14 broadcasting box. So I don't know whether it's</p> <p>15 connecting -- can be connected with computer or</p> <p>16 not.</p> <p>17 Q. Where do you store your records?</p> <p>18 MR. GAVENMAN: Objection to form.</p> <p>19 A. Well, I don't have anywhere that I can</p> <p>20 keep any records because unlike Cheng Shuiyan,</p> <p>21 every day, I was trying to run away from, escape</p> <p>22 from the persecution coming from the CCP, and I am</p> <p>23 not as wealthy as Cheng Shuiyan who has hotel and</p> <p>24 who has properties, you know, and every day, I'm</p> <p>25 just running around. And I don't really have any</p> | <p>131</p> <p>1 lawsuit in Nevada, we were full of good faith,</p> <p>2 only asking for a very minor amount, 15,000</p> <p>3 dollars. The purpose of it merely to stop him</p> <p>4 attacking us, stop him spreading malicious vicious</p> <p>5 rumor that has cost severe destruction to myself</p> <p>6 and my family.</p> <p>7 And it caused great fear in my</p> <p>8 family's mind because imagine that they were told</p> <p>9 that they will be deported back into China, in the</p> <p>10 hand -- put in the hand of the Chinese Communist</p> <p>11 Party and put into prison by the Chinese Communist</p> <p>12 Party and then Cheng Shuiyan and his personal</p> <p>13 employee, Marco, came right to the Department of</p> <p>14 Justice and request us to be deported. And that</p> <p>15 is the kind of fear and that kind of scary</p> <p>16 accusation that is spread on us.</p> <p>17 So that is full of malicious and</p> <p>18 vicious intention, and we, in return, we were just</p> <p>19 like asking for 15,000 of the damage just to stop</p> <p>20 him for spreading that kind of a rumor about us</p> <p>21 and in good faith.</p> <p>22 Q. One -- please, let sir, sir. What do</p> <p>23 you mean by "we"?</p> <p>24 A. I only said I. Perhaps it is the</p> <p>25 interpreter who interpreted it into "we," but I</p> |
| <p>130</p> <p>1 place that I can keep that record.</p> <p>2 Q. When you say you're not as wealthy --</p> <p>3 excuse me, when you say you're not as wealthy as</p> <p>4 my client, how do you know that?</p> <p>5 MR. GAVENMAN: To the extent there is</p> <p>6 any piece of this answer that regards your</p> <p>7 assets or not assets, Mr. Kwok, on advice of</p> <p>8 counsel, you should decline to respond to</p> <p>9 the question and invoking your right to the</p> <p>10 Fifth Amendment to the U.S. Constitution.</p> <p>11 To the extent, it's about</p> <p>12 Mr. Cheng's assets, you can answer.</p> <p>13 A. Well, you see, Cheng Shuiyan has a</p> <p>14 hotel in Las Vegas and Lude also said that he has</p> <p>15 other profit shares, and based on the Mongolian</p> <p>16 policeman who had to interview a lot of the</p> <p>17 people, those people have told me that Cheng</p> <p>18 Shuiyan has a lot of properties probably in</p> <p>19 Mongolia as well.</p> <p>20 So based on those information,</p> <p>21 Cheng Shuiyan is reported to have a billion</p> <p>22 dollars at least of the asset. Wealthy enough to</p> <p>23 send me to prison in China and have me deported</p> <p>24 into a China to be imprisoned there.</p> <p>25 You see that is why in our</p> | <p>132</p> <p>1 only say "I."</p> <p>2 Q. OK. Now, are you aware that you</p> <p>3 actually asked for monies in excess of 50,000</p> <p>4 dollars on the face of the second amended</p> <p>5 complaint?</p> <p>6 A. Yes, I know that.</p> <p>7 Q. Are you aware that you also asked for</p> <p>8 punitive damages?</p> <p>9 A. Yes, I know that. But then you see</p> <p>10 the thing is, in the past, right, he has -- not in</p> <p>11 the past. I know that because he has caused me so</p> <p>12 much damage and he has tens of -- several tens of</p> <p>13 a million dollar.</p> <p>14 I know that. And then he -- what</p> <p>15 he did cost me so much of destruction, cost me so</p> <p>16 much threat, and then cost me so much fear and</p> <p>17 then full of this -- because he have made those</p> <p>18 malicious, defamed accusation allegation of me,</p> <p>19 calling me rapist, calling me killer, calling me</p> <p>20 criminal, and so when I was asking him of that</p> <p>21 punitive damage, it is really full of good faith</p> <p>22 and he is well capable of paying it.</p> <p>23 And also you see he and his</p> <p>24 personal employee, Marco, wrote to the Department</p> <p>25 of Justice and bearing fabricated documents that</p> |

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34 (133 to 136)

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| <p>133</p> <p>1 stated I was wanted in the Chinese -- in China by</p> <p>2 the Chinese government.</p> <p>3 Now, I have never seen any such</p> <p>4 document that stated that I am a wanted person in</p> <p>5 China by the Chinese government. So where did</p> <p>6 they get these government -- they fabricated this</p> <p>7 document and all that is because they had the</p> <p>8 purpose of deporting me into China back into the</p> <p>9 hand of the Chinese government and then wanting me</p> <p>10 dead. So that is malice.</p> <p>11 Now, do you think that can be</p> <p>12 actually paid and that is actually enough to be</p> <p>13 paid for by just tens of thousands or that kind of</p> <p>14 a punitive damage?</p> <p>15 Q. Thank you.</p> <p>16 (Simultaneous crosstalk)</p> <p>17 Q. Please, there is no question. Excuse</p> <p>18 me, excuse me, there is no question. Excuse me.</p> <p>19 Excuse me. Excuse me. Excuse me. There was no</p> <p>20 question pending.</p> <p>21 (Simultaneous crosstalk)</p> <p>22 A. But I haven't finished. I haven't</p> <p>23 finished my answer.</p> <p>24 Well, you see the thing is, all</p> <p>25 the things that he has said have been forwarded</p> | <p>135</p> <p>1 to be made responsible for his employee, his</p> <p>2 personal employee, Marco, who had kept on making</p> <p>3 all this allegation about me and spreading</p> <p>4 malicious rumors and gossiped about me. He have</p> <p>5 to be made to take that responsibility.</p> <p>6 (Simultaneous crosstalk)</p> <p>7 Q. There is no question. There is no</p> <p>8 question?</p> <p>9 MR. GAVENMAN: We can wait until the</p> <p>10 next question is pending.</p> <p>11 Mr. Wolman asks a question and</p> <p>12 then you can continue to respond.</p> <p>13 Q. You mentioned a letter at Department</p> <p>14 of Justice from my client. Why have you not</p> <p>15 produced it?</p> <p>16 A. Well, the thing is that document was</p> <p>17 written by Cheng Shuiyan and his personal</p> <p>18 employee, Marco, to DOJ, he, himself. They openly</p> <p>19 talked about it, tweet about it online, over the</p> <p>20 internet.</p> <p>21 So it was -- it should be they</p> <p>22 who need to go and get that document and provide</p> <p>23 to you. That is their document. And that has</p> <p>24 already been sent to DOJ. How can I get such a</p> <p>25 document? How can I get it from the DOJ?</p> |
| <p>134</p> <p>1 and have been transmitted in mainland China and</p> <p>2 forwarded to millions and tens of millions and</p> <p>3 perhaps like hundreds of millions of the viewers.</p> <p>4 And then those messages were</p> <p>5 constantly calling me Guo rapist and Guo criminal</p> <p>6 and stating that the, in America, Department of</p> <p>7 Justice is going to deport me back into China and</p> <p>8 then calling me peasant, using words that -- as</p> <p>9 filthy as anything that can be and those words and</p> <p>10 those messages is going to accompany me throughout</p> <p>11 life. It's never going to be erased, never able</p> <p>12 to be disappeared.</p> <p>13 So you see, that is in return to</p> <p>14 my kindness that only at the beginning, I had a</p> <p>15 dinner with him, and also during that time, I was</p> <p>16 very kind, I was very nice and return. Then he</p> <p>17 treated me with such malice and turning white to</p> <p>18 black and then calling me all kind of names. Of</p> <p>19 course, I'm going to pursue him. I would never</p> <p>20 give up in pursuing him with the damage.</p> <p>21 (Simultaneous crosstalk)</p> <p>22 Q. Hold on, hold on, it's not responsive</p> <p>23 to my question. You are filibustering again.</p> <p>24 MR. GAVENMAN: It's not a filibuster.</p> <p>25 A. So he has to be responsible. He has</p> | <p>136</p> <p>1 Yet they have tweeted it and they</p> <p>2 have openly talked about it on Google, online, and</p> <p>3 it is constantly harassing me with that kind of a</p> <p>4 statement and the damage they have caused is</p> <p>5 really, you know, can't be estimated. And that is</p> <p>6 why the damage has to be sought.</p> <p>7 Q. You said -- you don't have the</p> <p>8 document, correct? You don't -- don't --</p> <p>9 (Simultaneous crosstalk)</p> <p>10 MR. WOLMAN: Counsel, instruct your</p> <p>11 client to wait for a question. He gives an</p> <p>12 answer. I get to now ask another question.</p> <p>13 This is how it works.</p> <p>14 MR. GAVENMAN: Jay, you didn't follow</p> <p>15 any instructions when it was your client</p> <p>16 doing unbelievable things. He is giving the</p> <p>17 answer, complete answers. You have to let</p> <p>18 him complete the answer.</p> <p>19 MR. WOLMAN: He is filibustering.</p> <p>20 MR. GAVENMAN: You are asking</p> <p>21 questions about this document, why it wasn't</p> <p>22 produced and he is giving you an answer.</p> <p>23 Q. Do you have the document?</p> <p>24 A. So I haven't completed my previous</p> <p>25 answer, so I need to continue with my answer.</p> |

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35 (137 to 140)

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| <p>137</p> <p>1 Q. Do you have the document, yes or no?</p> <p>2 MR. GAVENMAN: You need to allow him</p> <p>3 to complete his answers. That's fundamental</p> <p>4 in a deposition. He has to be able to</p> <p>5 complete his answer. You asked why not.</p> <p>6 There is a pending question. He has to be</p> <p>7 able to complete it.</p> <p>8 MR. WOLMAN: It was nonresponsive.</p> <p>9 MR. GAVENMAN: That's simply not</p> <p>10 true. He was talking about the documents</p> <p>11 and its whereabouts.</p> <p>12 MR. WOLMAN: I withdraw that previous</p> <p>13 question then.</p> <p>14 Q. My question is, do you have a copy of</p> <p>15 that document?</p> <p>16 A. I need to continue to answer my</p> <p>17 previous question.</p> <p>18 Q. No, I've withdrawn that.</p> <p>19 MR. GAVENMAN: He withdrew that</p> <p>20 question.</p> <p>21 This is pretty much the same</p> <p>22 question. You can explain why you do or</p> <p>23 do not have an answer to that question.</p> <p>24 Q. Do you have that document? There is</p> <p>25 no explanation. Yes or no. Do you have it?</p> | <p>139</p> <p>1 Did you provide your attorney</p> <p>2 with any of the documents that were used to</p> <p>3 respond to the requests for production in this</p> <p>4 case?</p> <p>5 MR. GAVENMAN: Objection to form.</p> <p>6 A. What documents?</p> <p>7 Q. Are you aware that your attorney</p> <p>8 produced documents to us in this case?</p> <p>9 A. Of course I know.</p> <p>10 Q. And do you know what those documents</p> <p>11 were?</p> <p>12 A. Of course I know.</p> <p>13 Q. Excellent. So did you give any of</p> <p>14 them to him?</p> <p>15 MR. GAVENMAN: Objection to form.</p> <p>16 A. Of course.</p> <p>17 Q. Which documents did you give to him?</p> <p>18 MR. GAVENMAN: Objection to form.</p> <p>19 THE INTERPRETER: Counsel, do you</p> <p>20 mind if I ask the witness to clarify because</p> <p>21 I can't hear clearly.</p> <p>22 MR. WOLMAN: Sure.</p> <p>23 A. The document you have seen was</p> <p>24 provided by our counsel which, in turn, provided</p> <p>25 by me to my counsel.</p> |
| <p>138</p> <p>1 MR. GAVENMAN: Objection to form.</p> <p>2 MR. WOLMAN: Move to strike as</p> <p>3 nonresponsive.</p> <p>4 (Simultaneous crosstalk)</p> <p>5 A. But you can't -- you can't -- you</p> <p>6 don't know what I'm answering, counsel.</p> <p>7 Q. I've been listening long enough to</p> <p>8 understand what yes and no mean in Mandarin.</p> <p>9 A. This is my right to answer your</p> <p>10 question and then I am speaking in Chinese and you</p> <p>11 don't know what I am saying. You must allow me to</p> <p>12 answer your question.</p> <p>13 Q. I hear your answer, including Marco</p> <p>14 and my client's name. I want to know do you have</p> <p>15 the letter, period.</p> <p>16 (Simultaneous crosstalk)</p> <p>17 Move to strike.</p> <p>18 A. Marco and his boss have them.</p> <p>19 Q. Do you have it?</p> <p>20 A. I don't have.</p> <p>21 Q. Have you ever had it?</p> <p>22 A. No.</p> <p>23 Q. Have you ever seen it?</p> <p>24 A. No.</p> <p>25 Q. Thank you, that was easy enough.</p> | <p>140</p> <p>1 However, however, I don't have</p> <p>2 the document that was written by Marco or Cheng</p> <p>3 Shuiyan to DOJ and that is why I want to actually</p> <p>4 ask them to get that document.</p> <p>5 Q. I'm asking about any of the documents</p> <p>6 that were produced in the response to the request</p> <p>7 for production of documents. Not your</p> <p>8 interrogatory answers.</p> <p>9 Did you provide any of them to</p> <p>10 your counsel for production?</p> <p>11 A. Yes, I provided those documents to my</p> <p>12 counsel.</p> <p>13 Q. Which ones?</p> <p>14 A. Anything that you can see were mostly</p> <p>15 provided by me.</p> <p>16 Q. Excellent.</p> <p>17 How did you get them to him?</p> <p>18 MR. GAVENMAN: Objection to form.</p> <p>19 A. Well, I handed to my lawyer. That</p> <p>20 would be it.</p> <p>21 Q. You handed them to Mr. Gavenman?</p> <p>22 A. I mean that I gave them to the lawyer</p> <p>23 in Golden Spring.</p> <p>24 Q. Where did you find these documents to</p> <p>25 give to the Golden Spring lawyer?</p> |

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36 (141 to 144)

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| <p>141</p> <p>1 A. I don't know which document you are 2 talking about. 3 Q. Any of them. 4 A. I cannot answer for all of them. 5 There are so many of them. 6 Q. Pick one that you gave to your lawyer 7 at Golden Spring and tell me where it came from. 8 A. But I don't think that as a lawyer 9 that you can say such a general term as any of 10 them. You know. I don't think this is something 11 that the professional lawyer should say. 12 Q. I figured this time there would be an 13 actual answer to the question. 14 THE INTERPRETER: Is that a question 15 to the witness? 16 MR. WOLMAN: Strike that. 17 Madam court reporter, could you 18 please repeat my question. 19 THE INTERPRETER: You mean repeat the 20 interpreting to the witness or are you 21 asking the court reporter to repeat the 22 question -- 23 MR. WOLMAN: Read back the question 24 and then you will reinterpret. 25 (Record read)</p> | <p>143</p> <p>1 to not reveal anything about what you heard 2 in an attorney/client communication about 3 what your attorneys were doing separately 4 from you. 5 This needs to be only things that 6 you understand, only things that you did 7 and not things that come from 8 understanding about what your attorneys 9 did. 10 A. My answer is that I don't recall. 11 Q. Did you look for any documents to 12 respond in this case? 13 A. Of course. 14 Q. And where did you look? 15 A. I don't recall. 16 Q. Where would you look if I were to 17 reask you those very same questions? 18 MR. GAVENMAN: Objection to form. 19 A. I don't know. I don't quite 20 understand really what you mean. 21 Q. The documents you provided to respond 22 to -- or to look for in response to the request 23 for production, just appear by magic? 24 MR. GAVENMAN: Again, I caution you, 25 anything you know from your attorneys or</p> |
| <p>142</p> <p>1 A. I don't understand. I don't know that 2 to pick which document. 3 And the thing is that you see 4 there are a thousand pages of the documents and so 5 I should know that to pick which one and to talk 6 about it, where it came from. 7 And also with the translation, it 8 says any of the documents, you know. In my life, 9 I never have anything that is any of the documents 10 such a general term. It's either right or wrong. 11 Q. Where were the documents, these 12 thousands of pages that you assembled to give to 13 the lawyer at Golden Spring? 14 A. I don't know. 15 Q. When did you give the documents to 16 this lawyer? 17 MR. GAVENMAN: Objection to form. 18 A. Well, in the past several years and 19 there are so many times, I don't know exactly 20 which specific time that you are talking about. 21 Q. In response to the second revised 22 request for production of documents propounded on 23 you in this case, tell me what you did to search 24 for documents to produce. 25 MR. GAVENMAN: I have to caution you</p> | <p>144</p> <p>1 attorney/client communications, please don't 2 reveal those communications. To the extent 3 you know anything outside of that, you're 4 free to answer. 5 A. Well, of course anything that is in 6 the conversation between myself and my counsel, I 7 cannot talk about here. I cannot talk about here. 8 But as to myself, how did I look for 9 those documents, I just don't remember. I don't 10 recall. 11 Q. Where would you go to look for them 12 today if you were being asked? 13 MR. GAVENMAN: Objection to form. 14 A. OK, so you see like, for example, 15 right, the communication between Marco and Cheng 16 Shuiyan, for example, this kind of evidence, Marco 17 is Cheng Shuiyan's personal employee and they 18 said, they claimed that they wrote to the DOJ. 19 And to deport me. And then calling me online 20 about that I was a liar and I was a rapist and so 21 on and so forth, and all of that, they 22 acknowledged and they openly treated that. 23 So you only need to search online 24 to produce that, and that's one way. And they 25 make phone call. For example, I make phone call</p> |

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37 (145 to 148)

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| <p style="text-align: right;">145</p> <p>1 to the people that they have talked to in mainland 2 China. I make phone call to Lude who they had 3 talked to about that -- about what they want him 4 to do or said. 5 So all of that -- and then I call them 6 and got those answers, and so that is a way to 7 search for those, those information. 8 And also, like I said, Marco 9 later on, you know, Marco and Cheng Shuiyan, they 10 talked about all of things that they have done and 11 they tweeted it online and you search online and 12 you get all this information online and then later 13 on, that, you know, after -- at the Nevada case, 14 he disappeared, Marco disappeared. He was a 15 personal employee of Cheng Shuiyan. 16 So Cheng Shuiyan should be made 17 responsible for whatever he did or said anyway. 18 So all of that was actually appeared online 19 because they have many tweeters online and they 20 have tweet it out there openly. That is a way to 21 search for those information. 22 Q. But where would you go to find 23 documents responsive to the requests? 24 MR. GAVENMAN: Objection to form. 25 A. Well, for example, when we -- when you</p> | <p style="text-align: right;">147</p> <p>1 dollars from him. And that had already been very 2 clear evidence that we -- we act in good faith. And 3 of course, the only thing here is we only want to 4 tell the truth. 5 Q. Were any of the documents in this case 6 provided to you by your attorneys? 7 MR. GAVENMAN: Objection, asked and 8 answered about four times. 9 MR. WOLMAN: Asked yes, answered no. 10 MR. GAVENMAN: He is answering the 11 question. It's part of the responsive 12 documents -- I don't want a speaking 13 objection, but these are -- that's his 14 answer and there is a reason that's his 15 answer. 16 MR. WOLMAN: Did any of the documents 17 you produced come from him? 18 MR. GAVENMAN: He's clearly answered 19 that question and I'm not being deposed so 20 you can ask questions, he is answering them 21 and we can move on. 22 MR. WOLMAN: He is not answering. He 23 doesn't seem to remember where documents 24 were produced or what he produced or where 25 they came from. So I'm asking you.</p> |
| <p style="text-align: right;">146</p> <p>1 see that, for example, Cheng Shuiyan reported that 2 he have a billion of dollar of asset and he 3 purported that he is person, but for all these 4 kind of purported claim, of course I can call 5 people in China trying to ascertain his, the words 6 of his claim. So that is one way to search. 7 And then also that Cheng Shuiyan 8 and Marco, so Marco is his personal employee 9 and he need to be -- Cheng Shuiyan need to be 10 responsible for whatever Marco has said and done 11 and so he was his boss. 12 So that need to be -- that is open 13 knowledge and that is the things that we know. 14 When we brought the case in 15 Nevada, we brought the case in good faith. The 16 proof, the evidence of that is we only claim for a 17 very small amount and we did not claim for 18 millions of dollars even though that he has -- he 19 claimed that himself, he had that billion dollars 20 of this account of assets. 21 But of course, when we are talking about 22 the people in China, subsequently a lot of people 23 were made disappeared and the thing is that he had 24 caused me all this destruction and all this kind of 25 a harm, we did not seek millions and millions of</p> | <p style="text-align: right;">148</p> <p>1 MR. GAVENMAN: I'm not being deposed 2 here today. So you can ask a questions -- 3 MR. WOLMAN: Actually, right now, I'm 4 engaging with you in a meet and confer 5 because I'm not sure -- 6 MR. GAVENMAN: This is not the time 7 and place for a meet and confer while he is 8 being deposed. And I know you know that. 9 It's not meet and confer time now. So 10 continue your deposition we can meet and 11 confer afterwards if you like to. 12 MR. WOLMAN: Well, it seems like it 13 would be useful for us to confer as to 14 whether or not he actually conducted an 15 appropriate search. And then maybe once we 16 have established that, well, he didn't 17 provide you any documents, we can go with 18 that. 19 But if you want, we can keep going, 20 sure. But I was trying to make this easier 21 for you. 22 MR. GAVENMAN: Thank you for your 23 care and concern. As always. Please 24 continue. 25 MR. WOLMAN: Not a problem.</p> |

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38 (149 to 152)

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| <p>149</p> <p>1 THE INTERPRETER: Is there a</p> <p>2 question, counsel?</p> <p>3 MR. GAVENMAN: There is not.</p> <p>4 Q. You said Mr. Cheng caused you a lot of</p> <p>5 harm. How do you value that harm?</p> <p>6 A. Well, so it is going to be a very,</p> <p>7 very long story. You need to have some</p> <p>8 preparation. It's going to be a long story.</p> <p>9 Q. No, I'm asking you how you value the</p> <p>10 harm.</p> <p>11 A. Well, you see, I am at the moment</p> <p>12 preparing some kind of premises to how to gauge</p> <p>13 the destruction and harm caused by Cheng Shuiyan.</p> <p>14 I have been calling people in Japan, Hong Kong</p> <p>15 PRC, U.S. and some of the partners before.</p> <p>16 You see a lot of these people at</p> <p>17 the moment, they were under threat and they were</p> <p>18 not -- they did not want to, you know, be the</p> <p>19 witness and tell how much threat and how much</p> <p>20 damage, and they know that Cheng Shuiyan and</p> <p>21 Marco, his personal employee, have caused me</p> <p>22 because they were being sort of under threat and</p> <p>23 also they know from the open allegation that made</p> <p>24 by Cheng Shuiyan and his personal employee, Marco,</p> <p>25 that I will be deported by the Department of</p> | <p>151</p> <p>1 too much damage, too much of a harm that he has</p> <p>2 caused me.</p> <p>3 For example, just a simple term,</p> <p>4 to him, it's only a simple word. He called me a</p> <p>5 rapist. But the damage it caused me, how can I</p> <p>6 account for that? How can anyone just fathom the</p> <p>7 damage that it is?</p> <p>8 So of course I have to value it</p> <p>9 and then calculating it. I'm in the middle of</p> <p>10 doing it.</p> <p>11 Q. How was it that you came up with</p> <p>12 your claim against Jonathan Ho valued at 5</p> <p>13 million; your claim against Jianbin Yuan at 5</p> <p>14 million; your claim against Liang for 100 million;</p> <p>15 your claim against Baotang for 1 million; your</p> <p>16 claim against Eliang Xia for 5 million; your claim</p> <p>17 against Xianmin Xiong for 100 million?</p> <p>18 THE INTERPRETER: Counsel, I will</p> <p>19 probably need you to repeat those names.</p> <p>20 MR. WOLMAN: Sure.</p> <p>21 MR. GAVENMAN: I want to caution, to</p> <p>22 the extent any of that information, any of</p> <p>23 your understanding about why that was put in</p> <p>24 those various complaints or how the value</p> <p>25 was done that came from counsel, you should</p> |
| <p>150</p> <p>1 Justice to mainland China and I will be deported</p> <p>2 to mainland China and they have made that kind of</p> <p>3 allegation on Twitter, on Geteer, talking about</p> <p>4 that I will be deported -- not only that I will be</p> <p>5 deported. They keep on saying that I will be shot</p> <p>6 to death by the Chinese government. And they keep</p> <p>7 repeating that so that cause a lot of fear by a</p> <p>8 lot of the people that I have worked with in the</p> <p>9 past.</p> <p>10 So he cost me my consultant jobs</p> <p>11 and he cost me a lot of this kind of a damage and</p> <p>12 it is unaccountable and it would be these, I think</p> <p>13 if I am gauging such kind of a value, I would say</p> <p>14 several tens of millions at least.</p> <p>15 Q. You said he cost you a consultant job</p> <p>16 and damages. What consultant job and what damage?</p> <p>17 A. I cannot answer them here for you.</p> <p>18 Q. Why not?</p> <p>19 A. Because at this point, I just cannot</p> <p>20 remember them.</p> <p>21 Q. But somehow -- you can't remember jobs</p> <p>22 that were valued had a worth of tens of millions</p> <p>23 of dollars?</p> <p>24 MR. GAVENMAN: Objection to form.</p> <p>25 A. It's because -- it's because -- well,</p> | <p>152</p> <p>1 not reveal those communications.</p> <p>2 To the extent that you can answer</p> <p>3 that without revealing attorney/client</p> <p>4 communications, you are free to do so.</p> <p>5 THE INTERPRETER: Counsel, you said 5</p> <p>6 million, the first name is Jonathan?</p> <p>7 MR. WOLMAN: Jun Chen, also known as</p> <p>8 Jonathan Ho.</p> <p>9 THE INTERPRETER: And that is one</p> <p>10 person, right?</p> <p>11 MR. WOLMAN: Yes.</p> <p>12 THE INTERPRETER: And that's 5</p> <p>13 million?</p> <p>14 MR. WOLMAN: Yes.</p> <p>15 THE INTERPRETER: Then 100 million</p> <p>16 Liang, someone Liang, and 1 million,</p> <p>17 Baotang, Baotang, 5 million Xia --</p> <p>18 something.</p> <p>19 MR. WOLMAN: Y-E-L-I-A-N-G, X-I-A.</p> <p>20 THE INTERPRETER: And then 100</p> <p>21 million, Xiong something? The last name.</p> <p>22 MR. WOLMAN: 100 million was</p> <p>23 X-I-A-N-M-I-N, X-I-O-N-G.</p> <p>24 MR. GAVENMAN: One moment please</p> <p>25 recall my instruction about the attorney/</p> |

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39 (153 to 156)

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| <p>153</p> <p>1 client privilege, and secondly, secondly, to</p> <p>2 the extent that this implicates in any way,</p> <p>3 anything about your personal assets or worth</p> <p>4 or income, I advise you to take the Fifth</p> <p>5 Amendment on that portion, if it does.</p> <p>6 A. Well, you know, first of all, the</p> <p>7 cases that you mentioned just now, I actually</p> <p>8 don't remember them. And I don't really remember</p> <p>9 how those amount of the damage were evaluated.</p> <p>10 But the thing is that I can tell</p> <p>11 you that they will be evaluated based on the harm</p> <p>12 that they have caused and also the facts that we</p> <p>13 have and then also that the evaluation would be</p> <p>14 conducted by my professional lawyers and -- but</p> <p>15 one thing you can see is that you see in</p> <p>16 comparison, even though the damage caused by</p> <p>17 Marco, Cheng Shuiyan's personal employee and Cheng</p> <p>18 Shuiyan himself may have been more, more enormous</p> <p>19 than those -- the people that previously</p> <p>20 mentioned, we have not asked for damage -- that</p> <p>21 much of a damage. That has shown so many of good</p> <p>22 faith in our part that when we brought forward</p> <p>23 that case.</p> <p>24 And the irony, of course, is that</p> <p>25 we lost, and so of course because of that, we</p> | <p>155</p> <p>1 Q. And did you give --</p> <p>2 A. Hold on, hold on, sorry.</p> <p>3 Q. Let's take the ten-minute break,</p> <p>4 Mr. Gavenman.</p> <p>5 (Recess; 4:39 p.m. to 4:56 p.m.)</p> <p>6 Q. During this last break, other than</p> <p>7 your lawyer, did you talk to anybody?</p> <p>8 MR. GAVENMAN: Objection to form.</p> <p>9 A. No.</p> <p>10 Q. Does anybody affiliated with Golden</p> <p>11 Spring represent you in this case?</p> <p>12 A. I don't know.</p> <p>13 Q. What do you mean you don't know?</p> <p>14 A. Then I don't know, then I don't know.</p> <p>15 Q. Let me try this. Other than</p> <p>16 Mr. Gavenman and Mr. Mitchell, does any other</p> <p>17 lawyer represent you relative to this case?</p> <p>18 A. You mean what other people? I don't</p> <p>19 quite understand.</p> <p>20 Q. Have you hired any other lawyers other</p> <p>21 than Mr. Gavenman and Mr. Mitchell to represent</p> <p>22 you in -- with respect to the claim by Mr. Cheng</p> <p>23 against you in the U.S. District Court for the</p> <p>24 Southern District of New York?</p> <p>25 A. No.</p> |
| <p>154</p> <p>1 understand there is -- the damage they have done</p> <p>2 was so great and then we have absolutely the faith</p> <p>3 that we are going to renew case and seek damage</p> <p>4 because they have caused so much damage.</p> <p>5 Q. You don't remember --</p> <p>6 (Simultaneous crosstalk)</p> <p>7 A. Hang on, hang on. Hang on. The wind</p> <p>8 has blown open the window. I need to go close the</p> <p>9 window. It's just -- just because the wind is so</p> <p>10 loud, I worry what it has caused disruption.</p> <p>11 Q. We hear you fine.</p> <p>12 MR. GAVENMAN: We have been going</p> <p>13 about two hours, can we take a bathroom</p> <p>14 break, in fact? We have been going another</p> <p>15 two-hour session here.</p> <p>16 Q. Let me ask one question before we go,</p> <p>17 how is it that you don't remember four cases filed</p> <p>18 simultaneously on February 14, 2018?</p> <p>19 MR. GAVENMAN: Objection to form.</p> <p>20 A. Well, I have 60 some cases in pending.</p> <p>21 I cannot possibly remember each of them unless I'm</p> <p>22 God or Superman. But I really don't recall.</p> <p>23 Q. Have you produced us the documents</p> <p>24 from all 60 cases?</p> <p>25 A. Well, I worked with my counsels.</p> | <p>156</p> <p>1 Q. In a court call earlier today,</p> <p>2 Mr. Gavenman referenced a criminal defense</p> <p>3 attorney. Who is that criminal defense attorney?</p> <p>4 A. I don't know.</p> <p>5 Q. Have you hired any criminal defense</p> <p>6 attorney?</p> <p>7 MR. GAVENMAN: Objection to form.</p> <p>8 A. Well, I have no way of answering</p> <p>9 because this is actually concerning between</p> <p>10 matters between myself and my counsel.</p> <p>11 Q. No, you can tell me if you have hired</p> <p>12 a lawyer.</p> <p>13 A. Well, we have engaged lawyers. I</p> <p>14 don't know which lawyer you're talking about.</p> <p>15 Q. Tell me all the lawyers you have</p> <p>16 currently engaged and for what purpose they</p> <p>17 represent you.</p> <p>18 MR. GAVENMAN: Objection to form.</p> <p>19 A. But I don't recall any name. Not even</p> <p>20 one.</p> <p>21 Q. How do you know who your lawyers are?</p> <p>22 A. Well, I just know. So I recognize the</p> <p>23 face. Like for example today, Jeff appeared here,</p> <p>24 I look at him, I know that he is Jeff and then he</p> <p>25 is Jeff.</p> |

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40 (157 to 160)

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| <p>157</p> <p>1 Q. How many other lawyers have you 2 currently retained?</p> <p>3 A. I don't recall.</p> <p>4 Q. Is it more than five?</p> <p>5 A. Yes.</p> <p>6 Q. Is it more than ten?</p> <p>7 A. I don't recall.</p> <p>8 Q. Could it be more than ten?</p> <p>9 A. I don't know.</p> <p>10 Q. So could it be more than 20?</p> <p>11 A. I don't know.</p> <p>12 Q. Could it be a million?</p> <p>13 A. Impossible.</p> <p>14 Q. So we are somewhere between five and a 15 million. Can you narrow it down any further for 16 me.</p> <p>17 A. Well, the thing is that the court is a 18 serious, hallowed place. I really don't think we 19 should joke about that or make light of anything 20 that is discussed in here.</p> <p>21 I never met any lawyer acted like 22 you. You know, you keep on asking me to guess or 23 estimate, perhaps, and so on, so forth, it's 24 really ludicrous.</p> <p>25 Q. Do you have an answer for my question?</p> | <p>159</p> <p>1 know, we have lawyers who are male, female, 2 different races and different ethnicity. I don't 3 know why that you have to ask this question about 4 a race and perhaps you are full of hatred and full 5 of racism.</p> <p>6 Whatever I have, they are good 7 lawyers. There is no reason why we need to know 8 about the race or ethnicity.</p> <p>9 Q. You say "We have lawyers." Who did 10 you mean in the plural?</p> <p>11 A. I said "I." I did not say "we." It 12 was the interpreter who said "we." I said "I."</p> <p>13 Q. How do you pay these lawyers?</p> <p>14 MR. GAVENMAN: Under the advice of 15 counsel, Mr. Guo declines to respond to that 16 question invoking the protection of the 17 Fifth Amendment in the U.S. Constitution.</p> <p>18 Q. Are you paying a criminal defense 19 attorney with proceeds from criminal activity?</p> <p>20 MR. GAVENMAN: On advice of counsel, 21 Mr. Guo declines to answer the question 22 invoking his rights under the Fifth 23 Amendment of the U.S. Constitution.</p> <p>24 Q. A document you produced discusses a 25 freezing order of 8.7 billion dollars Hong Kong.</p> |
| <p>158</p> <p>1 A. I don't know.</p> <p>2 Q. Do you currently have retained more 3 than a hundred lawyers?</p> <p>4 A. I don't know.</p> <p>5 Q. How is it you are able to recognize 6 specifically Mr. Gavenman's face when you could 7 have potentially a hundred other faces to 8 remember?</p> <p>9 A. I don't know.</p> <p>10 Q. How would you be able to describe the 11 appearance of your criminal defense attorney?</p> <p>12 A. I don't know.</p> <p>13 Q. Is your criminal defense attorney male 14 or female?</p> <p>15 MR. GAVENMAN: Objection to form.</p> <p>16 A. I don't know.</p> <p>17 Q. Is your criminal defense attorney 18 you -- strike that.</p> <p>19 Do you know of what ethnicity or race 20 your criminal defense attorney is?</p> <p>21 A. Well, I was not able to answer your 22 question because, you know, we have lawyers who 23 are female, male. I really don't know how to 24 answer your question.</p> <p>25 Well -- the thing is that, you</p> | <p>160</p> <p>1 It discusses 510 million shares of Haitong 2 securities under the alias Kwok Howan through 3 three offshore companies.</p> <p>4 What are those three offshore 5 companies?</p> <p>6 A. Well, my answer is no. In fact, I 7 actually, when I hear it, I find that it is 8 absolutely ridiculous.</p> <p>9 Q. Are you aware of the matter discussed 10 at Bates number 8925 in the article you produced?</p> <p>11 MR. GAVENMAN: Object to form.</p> <p>12 Objection to form.</p> <p>13 Go ahead, if you can answer without 14 looking, you can answer it.</p> <p>15 A. I don't really know.</p> <p>16 Q. You produced an article from the South 17 China Morning Post from August 15, 2018, entitled, 18 "Fugitive Chinese Tycoon, Guo Wengui, has U.S. 1.1 19 Billion Dollars of Assets Frozen by Hong Kong 20 courts."</p> <p>21 Are you familiar with that 22 article?</p> <p>23 A. Yes.</p> <p>24 Q. And it refers to you owning 510 25 million shares of Haitong securities through three</p> |

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| <p>161</p> <p>1 offshore companies, a restraint order. 2 What are the three offshore 3 companies? 4 MR. GAVENMAN: Objection to form. 5 A. I don't know. 6 Q. Have you read that restraint order? 7 A. Well, the thing is that so far I have 8 not read one report made by the media that is 9 actually true about me. So I have great 10 reservation to any of the media articles. So I 11 have no comment about it, I don't know. 12 So -- or perhaps I should say not 13 100 percent truthful report, and also, South China 14 Morning Post was a vehicle that controlled by the 15 Chinese Communist Party. So I really have no 16 comment to their articles. 17 Q. Did you ever own or -- either directly 18 or through companies you own or control, any 19 shares of Haitong securities? 20 MR. GAVENMAN: On advice of counsel, 21 Mr. Guo declines to respond to the question 22 invoking his rights under the Fifth 23 Amendment of the U.S. Constitution. 24 Q. Are you refusing to answer, Mr. Guo? 25 A. Yes.</p> | <p>163</p> <p>1 A. Yes. 2 Q. What is your net worth? 3 MR. GAVENMAN: On advice of counsel, 4 Mr. Guo declines to respond to the question 5 invoking his rights under the Fifth 6 Amendment of the U.S. Constitution. 7 Q. Are you refusing to answer? 8 A. Yes. 9 Q. Before the last break, I referenced 10 four cases filed on February 14, 2018. Why were 11 those cases all filed on the same day? 12 MR. GAVENMAN: I caution you to the 13 extent any understanding of why that 14 occurred came from attorney/client 15 communication, if you can answer without 16 revealing attorney/client privileged 17 information, you're free to answer. 18 A. It is a decision made by myself and 19 the counsel and through the discussion, so it is 20 privileged. I cannot answer that. 21 Q. Without saying what you discussed with 22 your lawyers, why did you agree to have it all 23 filed on the same day? 24 MR. GAVENMAN: And again, to the 25 extent your understanding was formed as part</p> |
| <p>162</p> <p>1 Q. Is your invocation of the Fifth 2 Amendment with respect to Haitong securities 3 related to your invocation of the Fifth Amendment 4 with respect to your relationship with Golden 5 Spring New York? 6 MR. GAVENMAN: Objection, that's 7 solely attorney/client privileged 8 information understanding -- he can't answer 9 it. 10 MR. WOLMAN: No, it's not? 11 MR. GAVENMAN: Absolutely it is. It 12 is. 13 You can't answer the question. 14 Q. Answer the question. 15 MR. GAVENMAN: Jay, I'm instructing 16 him not to answer on the basis of 17 attorney/client privilege. 18 Q. Are you refusing to answer? 19 A. Yes. 20 Q. Are you a billionaire? 21 MR. GAVENMAN: On advice of counsel, 22 Mr. Guo declines to respond to the question 23 invoking his rights under the Fifth 24 Amendment of the U.S. Constitution. 25 Q. Are you refusing to answer?</p> | <p>164</p> <p>1 of an attorney/client communication or 2 extends from an attorney/client 3 communication you should not reveal that. 4 To the extent you can answer 5 without revealing attorney/client 6 communication, you're free to answer. 7 MR. WOLMAN: Thank you for coaching 8 again. 9 MR. GAVENMAN: You can't -- it's an 10 attorney/client communication. You know -- 11 MR. WOLMAN: I already put that into 12 the question itself. 13 MR. GAVENMAN: Sorry, what was that? 14 MR. WOLMAN: I already put it into 15 the question itself. So stop coaching him 16 not to respond. 17 MR. GAVENMAN: I'm not coaching. I 18 don't know how you expect him to have any 19 understanding of why that decision was made 20 without it, but that fine, he can answer -- 21 MR. WOLMAN: Because we -- 22 MR. GAVENMAN: -- without 23 attorney/client communications. 24 MR. WOLMAN: I'm not going to hear 25 speculation, but it could well be his idea.</p> |

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| <p>165</p> <p>1 MR. GAVENMAN: Sure, and then he can 2 answer that portion -- 3 (Simultaneous crosstalk) 4 MR. GAVENMAN: -- and say the 5 attorney/client communications. And he is 6 free to do that. 7 (Simultaneous crosstalk) 8 MR. WOLMAN: He doesn't have to 9 reveal attorney/client communications. 10 MR. GAVENMAN: Don't reveal anything 11 that came from an attorney/client 12 communications, any understanding you had 13 that came from it. -- 14 MR. WOLMAN: Not understanding, not 15 an understanding. 16 He can still tell me why he 17 wanted to do something without telling 18 me what was discussed. Because he could 19 think, oh, it's a great idea to do what 20 my lawyer told me without telling me 21 that his lawyer told him that. 22 MR. GAVENMAN: And I said exactly 23 along those lines. 24 MR. WOLMAN: No, you didn't. 25 MR. GAVENMAN: If you answer the</p> | <p>167</p> <p>1 suggested and I don't have to tell you that 2 my lawyer suggested it. 3 Q. So tell me, Mr. Guo, without telling 4 me about any communications you actually had with 5 your lawyers, why did you decide to pull the 6 trigger and have four cases filed on the same day? 7 MR. GAVENMAN: Again, to the extent 8 this answer would reveal any amount of any 9 legal strategy between you and your counsel, 10 you cannot talk about that portion. 11 MR. WOLMAN: That is not correct. He 12 can reveal -- 13 MR. GAVENMAN: That's my instruction 14 to my client. It's a question for the 15 judge. 16 MR. WOLMAN: That's obstruction. You 17 need to learn about privilege, Jeff. That's 18 not how it works. 19 MR. GAVENMAN: Jay, very good, thank 20 you for your help in being so wonderful as 21 always. 22 Please move on. He can't answer 23 that question if it is about 24 attorney/client privileged information 25 and strategy that came from his</p> |
| <p>166</p> <p>1 question -- 2 (Simultaneous crosstalk) 3 MR. GAVENMAN: You asked why you 4 thought it would be a good idea -- I'm 5 assuming there, some of that portion, at 6 least some of that answer is wrapped up in 7 attorney/client privilege. 8 If it's not, to the extent it's 9 not, he is free to answer it. 10 To the extent it came from 11 attorney discussions about what certain 12 things would happen, why certain things 13 would happen certain ways, those are 14 privileged communication that he can't 15 reveal. 16 MR. WOLMAN: He can still say I 17 decided to do something because of "X" even 18 if it was an idea his attorney told him. 19 MR. GAVENMAN: Well, if it was a 20 privileged communication and privileged 21 understanding -- 22 MR. WOLMAN: I'm not asking him -- 23 privileged goes to communications between 24 you and your lawyer. Privilege does not go 25 to I decided to do something that my lawyer</p> | <p>168</p> <p>1 attorney. 2 If he said he can answer it 3 separately, he is free to do so. 4 Q. Answer the question. 5 A. Well, there is no other reason really. 6 It's just that we have looked at all the cases, 7 consolidate, in a consolidated manner, we look at 8 all of that, and then the counsel recommended 9 that, you know, that to put those four cases on 10 the same day and that is all. 11 Q. I'm a little confused because these 12 were filed, two in New York, one in New Jersey, 13 and one in Virginia. 14 How is this all one counsel 15 having the idea to put them all in the same day? 16 A. I don't know. 17 Q. Do you know when cases are filed on 18 your behalf? 19 A. Of course. 20 Well, I'm actually quite curious, 21 counsel, why are you banging on this question 22 about one day filing cases for one day. I mean, 23 it's such a strange and curious question. 24 Why can't the cases be filed on 25 one day? Is that illegal? Is that something that</p> |

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43 (169 to 172)

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| <p>169</p> <p>1 is wrong?</p> <p>2 It's really if I recall that correctly,</p> <p>3 this is the first time I ever heard of this</p> <p>4 question.</p> <p>5 In fact, what I am saying, I</p> <p>6 actually don't remember these four cases were</p> <p>7 filed in one single day. And so that, you know,</p> <p>8 if it were not you who keep on asking about this</p> <p>9 question about these four cases all filed on the</p> <p>10 same day, I would not have known there was such</p> <p>11 four cases and they were all filed on the same</p> <p>12 day. I really had no idea.</p> <p>13 Q. What is your relationship with Eastern</p> <p>14 Profit Corporation Limited?</p> <p>15 MR. GAVENMAN: On advice of counsel,</p> <p>16 Mr. Guo declines to respond to the question</p> <p>17 invoking his rights under the Fifth</p> <p>18 Amendment of the U.S. Constitution.</p> <p>19 MR. WOLMAN: He filed a lawsuit</p> <p>20 against Strategic Vision in which he</p> <p>21 acknowledged that he was principle of</p> <p>22 that --</p> <p>23 MR. GAVENMAN: I understand.</p> <p>24 MR. WOLMAN: -- in the Southern</p> <p>25 District of New York.</p> | <p>171</p> <p>1 Q. Do you recall answering</p> <p>2 interrogatories in that case?</p> <p>3 A. You mean what response -- what</p> <p>4 interrogatory to what case?</p> <p>5 Q. Do you recall responding to written</p> <p>6 questions in that case?</p> <p>7 A. I don't remember all of it.</p> <p>8 Q. In response to interrogatory number 1</p> <p>9 in it, it says, quote, I will represent that this</p> <p>10 is at Bates quote 3733, "Plaintiff responds that</p> <p>11 he is an entrepreneur without a salary or income."</p> <p>12 Is that statement accurate?</p> <p>13 MR. GAVENMAN: On advice of counsel,</p> <p>14 Mr. Guo declines to respond to the question</p> <p>15 invoking his rights under the Fifth</p> <p>16 Amendment of the U.S. Constitution.</p> <p>17 Q. Are you refusing to answer that</p> <p>18 question?</p> <p>19 A. Yes.</p> <p>20 Q. Was that statement accurate on the</p> <p>21 date it was made and filed being November 18,</p> <p>22 2019?</p> <p>23 MR. GAVENMAN: On advice of counsel,</p> <p>24 Mr. Guo declines to respond to the question</p> <p>25 invoking his rights under the Fifth</p> |
| <p>170</p> <p>1 MR. GAVENMAN: I understand.</p> <p>2 Q. Are you refusing to answer?</p> <p>3 THE INTERPRETER: I haven't</p> <p>4 interpreted.</p> <p>5 MR. WOLMAN: Thank you.</p> <p>6 A. Yes.</p> <p>7 How is our timing? I have</p> <p>8 other obligations.</p> <p>9 MR. WOLMAN: I think I still have at</p> <p>10 least another hour.</p> <p>11 MR. GAVENMAN: Fifty-nine minutes.</p> <p>12 Q. You provided to us in your discovery</p> <p>13 responses your responses and objections to</p> <p>14 interrogatories in a lawsuit against by you</p> <p>15 against Xianmin Xiong, X-I-A-N-M-I-N, X-I-O-N-G.</p> <p>16 Do you recall answering</p> <p>17 interrogatories in that matter?</p> <p>18 A. I actually don't know this person,</p> <p>19 Xianmin Xiong, or perhaps it is the interpreter</p> <p>20 did not interpret the name right.</p> <p>21 Q. Also known as X-I, N-U-O, also known</p> <p>22 as Frank, also known as Xino, also known as</p> <p>23 X-I-N-O.</p> <p>24 A. So the name is Xiong Xianmin, I know,</p> <p>25 I know this case.</p> | <p>172</p> <p>1 Amendment of the U.S. Constitution.</p> <p>2 Q. Are you refusing to answer?</p> <p>3 A. Yes.</p> <p>4 Q. Did you reach a settlement in the case</p> <p>5 with Mr. Xianmin Xiong?</p> <p>6 A. Well, first of all, I must tell you</p> <p>7 that the pronunciation of that name was wrong,</p> <p>8 right?</p> <p>9 And the thing is I can say that</p> <p>10 even to this date, that case was not entirely</p> <p>11 settled.</p> <p>12 Q. Are you aware that a stipulation of</p> <p>13 discontinuance was filed on September 15, 2020?</p> <p>14 A. Well, that's only one of the cases and</p> <p>15 there are other cases that were in connection with</p> <p>16 Xianmin Xiong as well.</p> <p>17 Q. That case was dismissed with</p> <p>18 prejudice, correct?</p> <p>19 A. That is not true.</p> <p>20 Q. Are you saying that the document filed</p> <p>21 on New York State's court electronic system is</p> <p>22 incorrect?</p> <p>23 MR. GAVENMAN: Objection to form.</p> <p>24 A. Well, perhaps the document was not</p> <p>25 wrong, but then there are so many other cases that</p> |

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44 (173 to 176)

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| <p style="text-align: right;">173</p> <p>1 were -- that has some connection with Xiong</p> <p>2 Xianmin as well.</p> <p>3 Q. Did Xiong Xianmin or however you</p> <p>4 pronounce that or anyone on his behalf make any</p> <p>5 payment in exchange for that case being</p> <p>6 discontinued with prejudice?</p> <p>7 A. No.</p> <p>8 Q. Why would you have it discontinued</p> <p>9 with prejudice without any payment?</p> <p>10 MR. GAVENMAN: To the extent you can</p> <p>11 answer that without revealing any legal</p> <p>12 strategy communicated between you and your</p> <p>13 counsel, you're free to answer.</p> <p>14 A. Well, that was the strategy that I had</p> <p>15 together with my counsel.</p> <p>16 Q. You sued that gentleman for 100</p> <p>17 million dollars. Do you not recall that?</p> <p>18 A. Yes.</p> <p>19 Q. How did it benefit you to dismiss that</p> <p>20 case without getting a dime in recovery?</p> <p>21 MR. GAVENMAN: Objection to form.</p> <p>22 Objection to form and same caution.</p> <p>23 A. Well, that is actually a strategy that</p> <p>24 we have arrived between myself and my counsel.</p> <p>25 Q. I understand. I don't need to know if</p> | <p style="text-align: right;">175</p> <p>1 system for New York's courts between you and</p> <p>2 Xianmin Xiong other than the one that was</p> <p>3 dismissed by a stipulation?</p> <p>4 A. I don't know.</p> <p>5 Q. Who is Yanping Wang a/k/a Yvette Wang?</p> <p>6 A. She is from Golden Spring.</p> <p>7 Q. And what is her job at Golden Spring?</p> <p>8 A. So she is the president.</p> <p>9 Q. Do you know anything about her lawsuit</p> <p>10 against Xianmin Xiong?</p> <p>11 A. Yes.</p> <p>12 Q. What your role with respect to that</p> <p>13 lawsuit, if any?</p> <p>14 A. No.</p> <p>15 Q. Have you spoken with Ms. Wang</p> <p>16 regarding this lawsuit?</p> <p>17 A. No.</p> <p>18 Q. I want to make sure I understand.</p> <p>19 You have -- are you -- Yanping Wang,</p> <p>20 also known as Yvette Wang, is the president of</p> <p>21 Golden Spring that is financing your defense in</p> <p>22 this case and has otherwise paid the judgments to</p> <p>23 my client, but you have never discussed this case</p> <p>24 with her, correct?</p> <p>25 MR. GAVENMAN: Object to form.</p> |
| <p style="text-align: right;">174</p> <p>1 a lawyer told you. I need to know how it</p> <p>2 benefited you.</p> <p>3 MR. GAVENMAN: Same caution.</p> <p>4 A. Well, the whole matter has not been</p> <p>5 concluded.</p> <p>6 Q. What part of it is still ongoing since</p> <p>7 it was dismissed with prejudice?</p> <p>8 A. Well, I cannot just -- I cannot tell</p> <p>9 you because that is the strategy that I and my</p> <p>10 counsel arrived at.</p> <p>11 Q. Is that counsel Mr. Steinberg?</p> <p>12 A. One of them.</p> <p>13 Q. Have you filed any other lawsuits</p> <p>14 against Xianmin Xiong or however you pronounce it?</p> <p>15 A. Yes.</p> <p>16 Q. Where? In what court?</p> <p>17 A. New York.</p> <p>18 Q. Have you produced a copy of that</p> <p>19 complaint?</p> <p>20 A. I don't recall.</p> <p>21 Q. When did you file this new case</p> <p>22 against Xianmin Xiong?</p> <p>23 A. I don't recall.</p> <p>24 Q. Do you know if there is any reason why</p> <p>25 there is no case currently on the electronic</p> | <p style="text-align: right;">176</p> <p>1 A. Yes.</p> <p>2 Q. Does Golden Spring New York Limited</p> <p>3 have a treasurer?</p> <p>4 A. Of course there is.</p> <p>5 Q. Have you discussed this case with that</p> <p>6 treasurer?</p> <p>7 A. No.</p> <p>8 Q. What is the name of the treasurer of</p> <p>9 Golden Spring Limited?</p> <p>10 A. I don't know.</p> <p>11 Q. Other than Ms. Wang, who can you</p> <p>12 identify as being an officer of Golden Spring?</p> <p>13 A. I don't know.</p> <p>14 Q. How did Golden Spring know to pay the</p> <p>15 judgment against you by Mr. Cheng in the Nevada</p> <p>16 case?</p> <p>17 A. Well, lawyers communication.</p> <p>18 Q. Do you know the person -- who the</p> <p>19 person was at Golden Spring who initiated the wire</p> <p>20 transfers to our firm?</p> <p>21 A. I don't know.</p> <p>22 Q. Do you know who is authorized at</p> <p>23 Golden Spring to initiate wire transfers of funds?</p> <p>24 A. I don't know.</p> <p>25 Q. You produced to us some text messages</p> |

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45 (177 to 180)

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| <p>177</p> <p>1 purported to be between Mr. Cheng and Lude of</p> <p>2 March 2018. Are you familiar with those?</p> <p>3 A. I have seen them.</p> <p>4 Q. How did those come into your</p> <p>5 possession?</p> <p>6 A. Well, it was at the time Lude sent it</p> <p>7 to me.</p> <p>8 Q. How did Lude send them to you?</p> <p>9 A. Well, I don't recall exactly. Perhaps</p> <p>10 it was via WhatsApp, but I really cannot recall.</p> <p>11 Q. How did you get them ultimately to</p> <p>12 your lawyers for production in this case?</p> <p>13 A. Well, I found them. So because -- in</p> <p>14 that case, in the past, and they said whatever</p> <p>15 that I found, I handed -- I handed them to the</p> <p>16 lawyers.</p> <p>17 So I just handed them to the lawyers</p> <p>18 because I found them.</p> <p>19 Q. Where did you find them?</p> <p>20 A. I don't recall.</p> <p>21 Q. When did you find them?</p> <p>22 A. I don't recall either.</p> <p>23 Q. When did you give them to your</p> <p>24 lawyers?</p> <p>25 A. I don't recall.</p> | <p>179</p> <p>1 A. I don't know.</p> <p>2 Q. How would you find out?</p> <p>3 A. I don't know.</p> <p>4 Q. Are you aware that that case closed in</p> <p>5 April of 2020?</p> <p>6 A. I cannot recall specifically.</p> <p>7 Q. Are your attorneys in Virginia holding</p> <p>8 money on your behalf?</p> <p>9 A. I don't recall.</p> <p>10 Q. On April 3, 2020, Judge Ellis</p> <p>11 ordered -- strike that.</p> <p>12 He noted that the check of 12,000</p> <p>13 dollars from the court registry was mailed to you</p> <p>14 on March 23, 2020. Is Judge Ellis incorrect?</p> <p>15 A. Well, I don't -- I didn't say that he</p> <p>16 is wrong. I just don't recall.</p> <p>17 Q. Do you know what happened to that</p> <p>18 12,000 dollars?</p> <p>19 A. I don't know.</p> <p>20 Q. Are you able to find out from your</p> <p>21 attorneys in that case?</p> <p>22 A. Well, I think -- you see today, I come</p> <p>23 here to answer the deposition made for the case of</p> <p>24 Cheng Shuiyan. I'm not here for you to teach me</p> <p>25 how to communicate with attorneys handling other</p> |
| <p>178</p> <p>1 Q. Which lawyers did you give them?</p> <p>2 A. Well, I just gave them to the lawyer.</p> <p>3 Q. To Mr. Gavenman?</p> <p>4 A. I handed them to Daniel, I believe.</p> <p>5 Q. And is Daniel the same individual we</p> <p>6 were discussing earlier who notarized on the</p> <p>7 verification.</p> <p>8 A. Yes.</p> <p>9 Q. Are you aware of a lawsuit you filed</p> <p>10 in the Eastern District of Virginia against</p> <p>11 someone named Baosheng Guo, B-A-O-S-H-E-N-G?</p> <p>12 A. Yes.</p> <p>13 Q. Is there a reason you didn't produce</p> <p>14 to us the documents in connection with that case?</p> <p>15 A. I don't know.</p> <p>16 Q. According to the docket in that case,</p> <p>17 a 12,000 dollar payment is made to you as a</p> <p>18 prevailing party. Are you aware of that?</p> <p>19 A. Yes.</p> <p>20 Q. How did that 12,000 dollars get into</p> <p>21 your hands?</p> <p>22 A. Well, I don't believe that I have</p> <p>23 received that 12,000 dollars as yet.</p> <p>24 Q. Do you know if that payment was</p> <p>25 actually made?</p> | <p>180</p> <p>1 cases for me, and I feel like 90 percent of the</p> <p>2 time that you are wasting in matters that are</p> <p>3 irrelevant to the case and to me, that is a form</p> <p>4 of abuse, a form of torture and you are very well</p> <p>5 aware of that.</p> <p>6 Q. I actually found my answer even though</p> <p>7 you were nonresponsive. It says on an order from</p> <p>8 March 9, 2020 that the court sent you a check by</p> <p>9 registered mail cable to you, Wengui Guo, a/k/a</p> <p>10 Miles Kwok, 781 Fifth Avenue, 18th Floor, New</p> <p>11 York, New York, 10022.</p> <p>12 Did you receive that check from</p> <p>13 registered mail?</p> <p>14 A. I don't recall.</p> <p>15 Q. You testified earlier that the folks</p> <p>16 at Golden Spring are the ones who get your mail.</p> <p>17 Did they ever tell you about a check for 12,000</p> <p>18 dollars coming in?</p> <p>19 MR. GAVENMAN: Objection to form.</p> <p>20 Objection to form.</p> <p>21 A. I don't recall.</p> <p>22 Q. Did you ever negotiate, meaning</p> <p>23 endorse, sign over, deposit a 12,000 dollar check</p> <p>24 from the U.S. District Court for the Eastern</p> <p>25 District of Virginia payable to you?</p> |

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46 (181 to 184)

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| <p>181</p> <p>1 A. I don't recall.</p> <p>2 Q. Is anybody, other than you, authorized</p> <p>3 to deposit checks made payable to you?</p> <p>4 A. I don't know.</p> <p>5 Q. Have you filed income tax returns for</p> <p>6 calendar year 2020?</p> <p>7 A. Of course.</p> <p>8 Q. Did you include this 12,000 dollar</p> <p>9 payment for judgment as income in that tax return?</p> <p>10 MR. GAVENMAN: On advice of counsel,</p> <p>11 Mr. Guo declines to answer the question</p> <p>12 invoking his rights under the Fifth</p> <p>13 Amendment of the U.S. Constitution.</p> <p>14 Q. Are you refusing to answer?</p> <p>15 A. Yes.</p> <p>16 Q. Are there any answers you've given</p> <p>17 today -- now that you have had a day to think</p> <p>18 about it that you wish to change?</p> <p>19 A. Yes.</p> <p>20 Q. And what is that?</p> <p>21 A. Well, you see for the matter of Marco</p> <p>22 and his employee relationship with Cheng Shuiyan</p> <p>23 and they have sent out tweet messages, online</p> <p>24 messages, and for the time they send the message</p> <p>25 and the content of the message and also the</p> | <p>183</p> <p>1 Q. I'm asking you, do you want to change</p> <p>2 any of your answers?</p> <p>3 A. OK, so the changes that you see, all</p> <p>4 of these things that I just mentioned about,</p> <p>5 right, and it's actually -- I remember when I</p> <p>6 answer you, I said that is May, but it actually</p> <p>7 started all in March, 2018, all the way through to</p> <p>8 August, and then I sue him in September of 2018.</p> <p>9 So that would be the change I would like to make.</p> <p>10 Q. Moving back to your lawsuit with</p> <p>11 Baosheng in Virginia, paragraph 107 of the</p> <p>12 complaint in that matter states, "Guo acted on</p> <p>13 these false representations and relied on them</p> <p>14 when he gave Baosheng 42,000 dollars in total."</p> <p>15 My question to you is, what was the</p> <p>16 source of the 42,000 dollars?</p> <p>17 MR. WOLMAN: And before you make your</p> <p>18 speaking objection --</p> <p>19 MR. GAVENMAN: No, it's on advice of</p> <p>20 counsel to respond to question --</p> <p>21 MR. WOLMAN: I want to make sure --</p> <p>22 this case, this case went to trial, so I'm</p> <p>23 asking -- so he obviously put forth evidence</p> <p>24 of that payment to Baosheng. So my question</p> <p>25 is -- that's already now out in the public</p> |
| <p>182</p> <p>1 relationship -- and also that the message is sent</p> <p>2 between them to Wang Ding Gang via WhatsApp and</p> <p>3 also just the matter that the personnel from</p> <p>4 Beijing visiting Cheng Shuiyan and gifting him</p> <p>5 millions of U.S. dollars and so as to start his</p> <p>6 changing of the -- the turn of the event with me,</p> <p>7 all these matters, I should start from the</p> <p>8 beginning to tell you that.</p> <p>9 And also the contents involving</p> <p>10 Cheng Shuiyan of defaming me on Twitter, this</p> <p>11 platform, concerning about my family and calling</p> <p>12 me rapist and calling me a hooligan, calling me</p> <p>13 low class, a peasant, and not even -- low class</p> <p>14 peasant and talking about me having a big deal</p> <p>15 with Xi Jinping, all of that, I would also like to</p> <p>16 start to tell you that.</p> <p>17 And also that I would like to</p> <p>18 tell you about the matter that Cheng Shuiyan</p> <p>19 talking about on Twitter in relation to writing to</p> <p>20 the ministry -- minister of or department head of</p> <p>21 DOJ and claiming that he is to -- they are going</p> <p>22 to deport me to China and telling that I was a</p> <p>23 criminal and I was a wanted person, all these</p> <p>24 matters, I would like to actually tell you about</p> <p>25 that.</p> | <p>184</p> <p>1 and public record. So my question here is</p> <p>2 what was the source of that money?</p> <p>3 MR. GAVENMAN: Mr. Guo declines to</p> <p>4 testify about that matter here today,</p> <p>5 invoking his rights under the Fifth</p> <p>6 Amendment of the U.S. Constitution.</p> <p>7 Q. Are you refusing to answer?</p> <p>8 THE INTERPRETER: Counsel, let me</p> <p>9 interpret everything that just happened.</p> <p>10 A. Yes.</p> <p>11 Q. Did you testify at a trial in that</p> <p>12 case?</p> <p>13 A. Yes.</p> <p>14 Q. Did you testify that you paid Baosheng</p> <p>15 Guo 42,000 dollars?</p> <p>16 A. Well, Baosheng Guo was 2011 the</p> <p>17 partner of Cheng Shuiyan in this whole business of</p> <p>18 attacking me and the fact that he is one of the</p> <p>19 persons who attacked me together with Cheng</p> <p>20 Shuiyan the most.</p> <p>21 MR. WOLMAN: I'm asking the court</p> <p>22 reporter, move to strike as nonresponsive.</p> <p>23 Q. Did you testify that you paid, you</p> <p>24 paid Baosheng Guo 42,000 dollars?</p> <p>25 A. I don't recall.</p> |


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47 (185 to 188)

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| 185 | <p>1 Q. Did you write a check to Baosheng Guo</p> <p>2 for the various amounts he requested?</p> <p>3 A. I don't recall.</p> <p>4 Q. How did money go from you to the --</p> <p>5 how did 42,000 dollars go from you to Baosheng</p> <p>6 Guo?</p> <p>7 MR. GAVENMAN: On advice of counsel,</p> <p>8 Mr. Guo declines to respond to the question</p> <p>9 invoking his rights under the Fifth</p> <p>10 Amendment of the U.S. Constitution.</p> <p>11 Q. Are you refusing to answer?</p> <p>12 A. Yes.</p> <p>13 Q. From whatever account or accounts that</p> <p>14 you used to pay Baosheng Guo, how much money is in</p> <p>15 them now?</p> <p>16 MR. GAVENMAN: On advice of Mr. Guo's</p> <p>17 counsel, Mr. Guo declines to respond to the</p> <p>18 question invoking his rights under the Fifth</p> <p>19 Amendment of the U.S. Constitution.</p> <p>20 Q. Do you have any records of the</p> <p>21 payments to Mr. Guo, Baosheng Guo?</p> <p>22 A. I don't recall.</p> <p>23 Q. Who would have records -- strike that.</p> <p>24 Were records of those payments</p> <p>25 introduced as evidence in the trial between you</p> | 187 | <p>1 MR. WOLMAN: I'm going to -- I'm</p> <p>2 going to suspend the deposition at this</p> <p>3 point pending the issues regarding the</p> <p>4 claims of Fifth Amendment privilege.</p> <p>5 THE WITNESS: Thank you very much.</p> <p>6 (Time noted: 6:16 p.m.)</p> <p>7</p> <p>8</p> <p>9</p> <p>10 Subscribed and sworn to</p> <p>11 before me this day</p> <p>12 of MO , 2021.</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> |
| 186 | <p>1 and Baosheng Guo?</p> <p>2 A. Yes.</p> <p>3 Q. Do you have control over those</p> <p>4 exhibits?</p> <p>5 MR. GAVENMAN: Objection, objection</p> <p>6 to form.</p> <p>7 A. I am not quite sure I understand what</p> <p>8 you mean.</p> <p>9 Q. Do you or your attorneys have copies</p> <p>10 of the exhibits introduced at the trial between</p> <p>11 you and Baosheng Guo?</p> <p>12 A. I actually don't quite understand what</p> <p>13 you -- what your question means. I don't</p> <p>14 understand.</p> <p>15 Q. What is Broadcasting Board of</p> <p>16 Governors?</p> <p>17 THE INTERPRETER: Counsel, is that a</p> <p>18 company or is that --</p> <p>19 MR. WOLMAN: A company.</p> <p>20 THE INTERPRETER: It is a company?</p> <p>21 MR. WOLMAN: An entity. Yes.</p> <p>22 A. I cannot understand exactly what this</p> <p>23 means. I don't understand this question at all.</p> <p>24 THE INTERPRETER: Did we have any</p> <p>25 questions?</p> | 188 | <p>1 INDEX:</p> <p>2 WITNESS EXAM BY: PAGE:</p> <p>3 H. Kwok Mr. Wolman 6</p> <p>4</p> <p>5 EXHIBIT INDEX:</p> <p>6 NUMBER DESCRIPTION PAGE:</p> <p>7 Exhibit 1 Amended Notice of Deposition 20</p> <p>8 Exhibit 2 Defendant Wengui Guo's 23</p> <p>9 Verified Statement Pursuant to</p> <p>10 Local Civil Rule 26.1</p> <p>11 Exhibit 3 document entitled "Complaint" 107</p> <p>12 Exhibit 4 Complaint and Jury Demand 122</p> <p>13 Exhibit 5 Defendant Wengui Guo's Answer 122</p> <p>14 to the Complaint</p> <p>15 Exhibit 6 Defendant Wengui Guo's Initial 123</p> <p>16 Disclosures</p> <p>17 Exhibit 7 Defendant Wengui Guo's 125</p> <p>18 Objections and Responses to</p> <p>19 Plaintiff Logan Cheng's Second</p> <p>20 Revised First Set of Requests</p> <p>21 for Production of Documents</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> |

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| 4 | Objections and Answers to | | |
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| 6 | Set of Interrogatories | | |
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| 1 | CERTIFICATE | 190 | |
| 2 | STATE OF NEW JERSEY) | | |
| |)ss: | | |
| 3 | COUNTY OF UNION) | | |
| 4 | I, MARY F. BOWMAN, a Registered | | |
| 5 | Professional Reporter, Certified | | |
| 6 | Realtime Reporter, and Notary Public | | |
| 7 | within and for the States of New York | | |
| 8 | and New Jersey, do hereby certify: | | |
| 9 | That HOWAN KWOK, the witness | | |
| 10 | whose deposition is hereinbefore set | | |
| 11 | forth, was duly sworn by me and that | | |
| 12 | such deposition is a true record of the | | |
| 13 | testimony given by such witness. | | |
| 14 | I further certify that I am not | | |
| 15 | related to any of the parties to this | | |
| 16 | action by blood or marriage and that I | | |
| 17 | am in no way interested in the outcome | | |
| 18 | of this matter. | | |
| 19 | In witness whereof, I have | | |
| 20 | hereunto set my hand this 2nd day of | | |
| 21 | April, 2021. | | |
| 22 |  | | |
| 23 | _____ MARY F. BOWMAN, RPR, CRR | | |
| 24 | | | |
| 25 | | | |

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